

EXTENSIONS OF REMARKS

DRUG LEGALIZATION/THE NATURE OF EVIL

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 1994

Mr. SOLOMON. Mr. Speaker, over the next few months the American public is going to become much more aware of the people and organizations who are behind the movement promoting the legalization of drugs. The worst of these organizations is the sinister Drug Policy Foundation and the wacky but dangerous National Organization for Reform of Marijuana Laws.

On the other side of this issue are major profamily organizations which have sprung up to alert the American public to the dangers of legalization and the network and organizations backing the movement.

All Americans should be thankful to the thoughtful work done by Drug Watch International and the International Drug Strategy Institute.

At this time, Mr. Speaker, I would insert an excellent work done by the chairman of the International Drug Strategy Institute, Dr. Voth, which outlines the arguments against drug legalization.

ARGUMENTS AGAINST LEGALIZATION OF DRUGS
(Eric A. Voth, M.D. FACP)

1. Legalization of Drugs will decrease the profit of selling drugs and therefore drive dealers out of the market.—Most drugs are already cheap. Crack may sell for \$5 per rock. Because drugs are addictive, they create their own market. The addict will simply increase his usage to meet the finances available. Furthermore, drug abuse does not fit into a simple supply/demand economic model. Most of the several thousand addicts I have treated relate that cost and availability of finances are the major limiting factors to their drug abuse. If they had more money or if drugs were cheaper they would use more drugs. Since drugs create their own demand, dealers would stay in business by profiting from sale of more drugs; only perhaps cheaper drugs. If drugs were distributed by "legitimate" businesses, they would be priced to be enticing. If priced too high, they would drive users back to the black market.

2. Crime would decrease if drugs were legalized.—The addict who resorts to crime will still resort to crime to pay for his habit. The only way to achieve decreased crime would be to supply the addict with his drug of choice. This has failed dismally in England and in the U.S. in the form of methadone clinics. Again, drug use would increase. Holdups have increased over 60% and shootings have increased 40% in Holland since the softening of drug laws. That country is now strengthening its drug laws. About 75% of felonies are drug related, and these are largely related to crime while intoxicated and acquisition of funds to buy drugs.

3. Legalization works in other countries.—Incorrect. The only form of legalization

which exists in England has been in regard to heroin for known addicts. In the Netherlands, one of the repercussions of legalization has been addicts flocking in from other countries. One must also seriously question that country's viability in the world. With marijuana in Alaska besides the obvious fall-out of drug addiction, more people became unemployable because of inability to pass tests by employers.

4. Prohibition failed for alcohol and it is failing for drug abuse.—In fact prohibition was a response to the tremendous problems that were seen with alcohol at the turn of the century. It did work. Since Prohibition was repealed, alcohol related deaths have steadily increased. One of the reasons that there was a problem with prohibition is that alcohol had enjoyed a prior legal status and then was given an illegal status.

5. The government should reap some profit by taxation of drugs.—As we have seen, the government is slow to tax drugs such as alcohol and tobacco. If legal, there would no doubt be lobbying efforts to limit taxation of drugs. Further, taxation would immediately create a black market for non-taxed drugs. With current amount of usage, estimates of the cost of alcohol and drug abuse range from 170 to 300 billion dollars per year. Could our society bear the increased cost of drug treatment alone on top of our staggering national debt? Taxation initiatives in Holland were defeated by the drug lobby.

6. Legalization would allow restrictions to be placed on quality control.—Once again, this only creates another black market. This also raises the question as to how drugs would be legalized and distributed. Would all drugs be legalized, who would produce them and distribute, what would happen to distributors with illegal ties, what concentrations would be allowed, etc.?

7. It is a personal right whether or not to use drugs.—Although the use of an intoxicant drug is only an individual choice, it is certainly not a constitutional, legal, or moral right. Any behavior which affects society as well as others so adversely must be regulated by society. Drug addiction costs society in loss of life, spread of disease such as AIDS, treatment of addicts, and involvement of innocent parties such as with DUI related deaths, and crime related to the acquisition of drugs. The use of drugs is no more a personal right than any destructive, self centered behavior, and many of those who use drugs (especially young people) lack the judgment to adequately assess the risks involved. This is particularly true in light of the efforts of organizations such as NORML to downplay the risks and consequences of drug abuse.

8. Enforcement of drug laws is full of racial bias and does not work. By reducing or eliminating mandatory sentences the prison system can be unbundled. Why are we jailing people with a disease?—In fact, legalization would be markedly racist. Not only is drug use more prevalent in minorities than whites, but with legalization drug use would climb and disproportionately affect minorities. No one wants to see first time low level users spend tremendous time in jail, but this is virtually not happening in the U.S. unless

it is with regard to dealing. In that regard the individual is taking known risks.

We jail people with all kinds of diseases; heart disease, diabetes, psychiatric disorders, etc. if their behavior deviates from social norms and if they put society at risk. Having addiction is not license to break the law.

9. We should provide pain relief and anti-nausea treatment for cancer patients and HIV patients.—This recent position statement is clearly aimed at the legalization of drugs and far more fulfills the self-interest of the pro-legalization movement than ever beginning to address the needs of cancer patients. There are numerous effective agents on the market for all of these problems. Moreover, if marijuana were legalized, the pro-legalization lobby would no doubt drop their thinly veiled concern for cancer and HIV patients once their self-interest was fulfilled.

10. Illegal drugs are less of a problem than alcohol and tobacco.—This is true so far, but it is actually a compelling reason to maintain the illegal status of our illegal drugs. Why add more problems to the current ones seen with alcohol and tobacco?

11. We can dramatically reduce mortality and morbidity by redirecting America's drug strategy to reduce the use of tobacco and alcohol.—Indeed, we need to broaden the effort to decrease the serious effects of alcohol and tobacco. These drugs serve as excellent modes of the consequences of legalizing drugs. The current prevention movement has addressed these drugs, but much of the pro-legalization based literature does not support complete abstinence; rather it supports "responsible use" which among especially youth is irresponsible and dangerous.

12. We should abandon enforcement and address the drug problem through a prevention and treatment approach.—The most effective approach to drug abuse is a three-legged balanced approach which enlists prevention, intervention (enforcement), and rehabilitation. Enforcement has a substantial preventative effect and certainly reduces the availability of drugs. It keeps the user and the dealer constantly off balance and concerned about arrest. The other two areas certainly need to be expanded, and equally controls need to be instituted to assure high quality treatment and prevention programs.

13. What are some of the claims made about the beneficial effects of legalized hemp?—These are examples of the claims: Hemp for ecology, hemp makes cleaner air, hemp builds soil, hemp helps children, hemp for cancer, hemp for eyes, hemp for rheumatism, hemp relieves stress. The pro-drug forces even mix the rescheduling of marijuana into the issue.

14. Why not use hemp as an alternative source for energy conservation and for lumber products?—The movement behind the "ecological" uses of marijuana stems from the same people who pressed for medical uses of THC and later leaf marijuana. Their technique is to identify hot topics which stir public emotion and to dovetail with these. What is more timely than concern over the environment and energy problems. There are some basic flaws in their theories. While

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

they contend that hemp makes cleaner air by processing carbon dioxide (one of the major "greenhouse effect" chemicals), they support using hemp to break down to create alcohol to mix with gasoline for energy. Fossil fuel pollution remains a problem with or without hemp. They overlook the major impact on the lumber industry that would result from moving heavily to another form of pulp for paper. There are already efforts to define alternate forms of pulp from legal sources.

While asserting potential ecological benefits, supporters refer to "health" benefits which are identical to the supposed benefits of cannabis. This is the same technique that NORML has always used. Furthermore, even if there were pulp and energy uses, this does not justify ingestion or use for intoxication. If an attempt were made at producing forms of marijuana for hemp that was sterile and therefore unable to produce intoxication, it would be a matter of time before NORML pushed again for general legalization. Do not forget that this new movement stems from NORML! The further reading that is recommended in the hemp literature is all pro-legalization literature written by major proponents of legalization.

15. The war on drugs has failed and we should abandon it.—The pro-drug lobby uses this propaganda as a morale breaker. We have only fought a limited war to date yet there have been successes. Although heavy use of drugs has increased, the casual or more recreational use has declined 33% from 1985-1988. The war on drugs needs to be expanded on all fronts.

IN OBSERVANCE OF THE 50TH ANNIVERSARY OF WORLD WAR II IN THE MARIANA ISLANDS

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 1994

Mr. UNDERWOOD. Mr. Speaker, as this great Nation of ours has just completed its celebration commemorating the 50th anniversary of D-day, those of us from the Pacific are just beginning our own celebration in observance of the 50th anniversary of another D-day marking the beginning of the end of World War II in the Pacific. I am submitting here, for inclusion in the RECORD, a statement by the Resident Representative of the Commonwealth of the Northern Marianas in remembrance of the 50th anniversary of World War II in the Pacific.

IN OBSERVANCE OF THE 50TH ANNIVERSARY OF WORLD WAR II IN THE MARIANA ISLANDS

(By Juan N. Babuta, Resident Representative of the Commonwealth of the Northern Mariana Islands)

While most American communities all across this great Nation have ended their celebration commemorating the 50th anniversary of the Allied offensive on the beaches of Normandy during World War II, the people of the Northern Mariana Islands are carrying on the celebration throughout this month, as we build toward a climax of June 15—when the people of the islands celebrate their liberation by U.S. forces in World War II.

The people of the Mariana Islands, whom Delegate Robert Underwood and I represent, are the only members of the American family whose lives and homes were bloodied in

violent conflict during World War II. Unlike the people of Guam, however, the people of the Northern Marianas were not Americans at the time of the U.S. invasion. We were in the hands of the Japanese, as we had been in the hands of the Germans before that and in the hands of the Spanish before that—a period of colonization stretching back more than 300 years.

For our people, the American invasion and capture of our islands could have been just another chapter in a long history of colonization. But it was not. The coming of the United States to our islands heralded the beginning of the end of our colonization. For the United States armed forces brought with them the ideals of freedom and democratic self-government. They shared those principles with us and we gladly embraced them.

Today, the people of the Northern Marianas are members of the American family—not because we were conquered, but because America gave us the opportunity to choose freely our political destiny. America gave us the chance to be self-governing; and America—with great generosity—gave us the chance to be part of this great Nation.

The 19,000 men of the 2d and 4th Marine Divisions and the 27th Army Division who were killed or wounded during the battles on Saipan and Tinian in the Northern Marianas probably thought only of the strategic importance of these islands. The Marianas were geographically central in the Western Pacific and were crucial in staging points for the taking of the Philippines, Iwo Jima, and Okinawa. Most importantly, the Marianas provided a platform placing U.S. warplanes within striking distance of the Japanese homeland. It was from Tinian that the Enola Gay, with its single atomic payload "Little Boy" departed for Hiroshima—a flight that changed the very nature of our modern world.

The capture of the Marianas directly resulted in the fall of the Tojo government in Tokyo. Truly, in the words of General Holland L. Smith, this was "the decisive battle of the Pacific offensive."

The troops who crawled ashore and fought the bitter fight to take the Northern Marianas thought of immediate strategic goals. They probably did not imagine how their struggle would change the lives of the people of these islands. But change our lives they did. The Commonwealth today is a proud and vibrant community. As American citizens on U.S. soil at the gateway to Asia, the people of the Northern Marianas are performing an important role in protecting and advancing the Nation's interest.

And we remember. We honor the thousands of U.S. soldiers who made the supreme sacrifice so that the people of the Northern Marianas might live in liberty. Their valor and selflessness will live in our hearts and memories.

And we are grateful—for today we celebrate freedom and democracy.

LIMITS ON PACS

HON. MARTIN T. MEEHAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 1994

Mr. MEEHAN. Mr. Speaker, Massachusetts today made law a campaign finance bill that limits gubernatorial candidates to \$150,000 in PAC money, with no more than \$500 from any single PAC. If lawmakers in Massachusetts

can agree to these limits, candidates for Congress could certainly run robust campaigns with an overall PAC limit of no more than \$200,000—as provided in the House bill—and a single-PAC limit of \$1,000 or less.

The Massachusetts bill applies to races for Governor in a State with almost 6 million people and five major media markets. Candidates for Congress typically face a far less daunting challenge in communicating with voters, and they would have far more freedom to raise money from PACs even after cutting the current \$5,000 cap by four-fifths or more.

I do not accept PAC donations campaigns, and I think reducing the size of each PAC contribution would be healthy for the political process, not to mention extremely helpful in getting a campaign finance bill passed into law. President Clinton campaigned on a specific promise to lower the PAC limit, and Congress ought to follow through by helping him live up to that pledge.

ENCRYPTION POLICY ENDANGERS U.S. COMPETITIVENESS IN GLOBAL MARKETPLACE

HON. JACK BROOKS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 1994

Mr. BROOKS. Mr. Speaker, for some time now, a debate has been raging in the media and in the Halls of Congress over the administration's intention to require U.S. corporations to use and market the clipper chip, an encryption device developed in secret by the National Security Agency.

The clipper chip will provide industry and others with the ability to encode telephone and computer communications. The use of the clipper chip as the U.S. encryption standard is a concept promoted by both the intelligence and law enforcement communities because it is designed with a back door to make it relatively easy for these agencies to listen in on these communications.

The law enforcement and intelligence communities have a legitimate concern that advances in technology will make their jobs more difficult. But the issue here is whether attempts to restrict the development, use, and export of encryption amounts to closing the barn door after the horse has already escaped.

The notion that we can limit encryption is just plain fanciful. Encryption technology is available worldwide—and will become more available as time goes on.

First, generally available software with encryption capabilities is sold within the U.S. at thousands of retail outlets, my mail, even over the phone. These programs may be transferred abroad in minutes by anyone using a public telephone line and a computer modem.

Second, it is estimated that over 200 products from some 22 countries—including Great Britain, France, Germany, Russia, Japan, India, and South Africa—use some form of the encryption that the Government currently prohibits United States companies from exporting. And this is just the beginning. According to the

May 16, 1994, issue of *Fortune*, not only are U.S. companies willing to purchase foreign encryption devices, American producers of encrypted software are also moving production overseas to escape the current U.S. export controls.

Third, encryption techniques and technology are well understood throughout the world, encryption is routinely taught in computer science programs. Textbooks explain the underlying encryption technology. International organizations have published protocols for implementing high-level encryption. Actual implementations of encryption—programs ready to use by even computer novices—are on the Internet.

The only result of continued U.S. export controls is to threaten the continued preeminence of America's computer software and hardware companies in world markets. These restrictive policies jeopardize the health of American companies, and the jobs and revenues they generate.

I support, therefore, the immediate revision of current export controls over encryption devices to comport with the reality of worldwide encryption availability.

I believe law enforcement and the intelligence community would be better served by finding real, and targeted ways to deal with international terrorists and criminals rather than promoting scattershot policies, which restrict American industries' ability to design, produce, and market technology.

Now—more than ever—we cannot afford to harm our economic competitiveness and justify it in the name of national security.

MEDICARE DOES A BETTER JOB HOLDING DOWN COSTS THAN THE PRIVATE SECTOR

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 1994

Mr. STARK. Mr. Speaker, overall, Medicare does a better job than the private sector in holding down per capita health care costs and not overpaying for medical procedures.

If anyone doubts this, I refer them to GAO report HEHS-94-65, entitled "Impact of OBRA-90's Dialysis Provisions on Providers and Beneficiaries." For over 20 years, Medicare has been paying roughly \$125-\$130 for the dialysis of kidney disease patients. The program has saved the lives of tens of thousands of people. We basically have never raised the amount we paid. Productivity and technology have allowed us to keep paying the same dollar figure—a figure which in real value terms is less than 40 percent of the original payment rate.

Medicare historically did not pay for the first 12 months of dialysis. In OBRA 1990, to save some money, we delayed the start of Medicare payments for people who had private insurance until a person had been on dialysis for 18 months. The dialysis companies lobbied for this change, because they generally charge private insurance companies more than the Government will pay. They'd rather have the so-called great, efficient highly com-

petitive insurance companies paying them than Uncle Sam, because they know they can get away with a lot more.

How much more? \$41 million per year. Says the GAO, "This increase occurred because employer-sponsored plans generally paid dialysis providers more than the cost-based Medicare rates * * * because the higher payments involve no increase in the type or level of services provided, they generally represent profits for the providers who receive them."

Mr. Speaker, dialysis is an old technology and an old billing procedure. Medicare has shown how to do it for over 20 years. But the GAO found that:

"The [dialysis providers] in our sample received an average of 80% more when employer-provided health insurance plans acted as the primary payer for kidney dialysis services than they would have received if Medicare had been the primary payer. On average, providers received \$690 per week for such services, compared to \$383, which they would have received under the Medicare composite rate."

Of the 583 patients whose bills the GAO examined, 139 had bills that were \$500 or more higher than the matching Medicare rate. The GAO found 15 patients who were being paid more than a \$1000 per dialysis.

Mr. Speaker, in the year 1994 for a private insurance company to be paying more than a \$1000 for a dialysis—three times a week, 52 weeks a year—is just plain dumb. It makes \$600 Air Force toilet seats look like a bargain.

Just turn cost containment over to us, say the big insurance companies.

Not when they are paying these kinds of charges, Mr. Speaker.

NEW YORK RANGERS—CHAMPIONS

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 1994

Mr. KING. Mr. Speaker, I rise today in celebration. The curse has been lifted. For the first time in 54 long years, the Broadway Blues have tasted champagne from Lord Stanley's Cup. The New York Rangers are champions of the National Hockey League.

No more will the derisive chant of "1940" be heard.

I salute the 1993-94 Stanley Cup champion New York Rangers, head coach Mike Keenan, captain Mark Messier, Conn Smythe trophy winner Brian Leetch, goalie Mike Richter, and all the other players and members of this fine organization who have proved that anything is possible if you stick to it long enough.

"1994."

TRIBUTE TO TONY CONSOLINO

HON. NICK SMITH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 1994

Mr. SMITH of Michigan. Mr. Speaker, I rise to announce to the House, with great sadness, the passing of one of Jackson's most devoted leaders, Tony Consolino.

Many civic, business, and community groups have been enriched by Mr. Consolino's wise counsel. The new Foote Hospital was built with his fundraising help. The entire community benefited from his optimistic leadership as chairman of the Greater Jackson Chamber of Commerce during the dark period when Clark Equipment and Goodyear Tire and Rubber Co. left town. There is a trail for the blind at the Dahlem Center that is due in no small part to his help. Because of his tireless management, a small Jackson cleaning business—Aalen Aides—grew into a multi-million-dollar enterprise that has provided a livelihood for dozens of employees. His contributions were so diverse that in 1992 the Jackson Citizen Patriot named him "Citizen of the Year."

Mr. Consolino's most heartfelt civic involvement in recent years was the "Tony Open," a golf tournament that has raised more than \$900,000 for the American Cancer Society. Rodney Budnick, executive director of the society's Jackson unit said, "I can't think of another individual who has done as much for the American Cancer Society as Tony Consolino." That event was special to him because of his personal battle with lung cancer, a battle he appeared to have won. "The greatest tribute people can pay would be to show support for the thing dad worked hardest at," said Phillip Consolino, one of Tony Consolino's six children.

A man who devoted his adult life to hard work, charitable causes and his family, Tony Consolino will be missed by friends and family for his devotion to others which is evident in a statement he made: "A community is like a business. You can't keep taking out of it without putting something back, or it starts to deteriorate."

You can multiply all of the good things Tony Consolino did many times over, for he was the patriarch of a large family. Whatever he was to the community, he was first of all an example to the six children he and his wife Emma brought into this world, and to the many grandchildren those children bore. His legacy and influence will continue through those children and grandchildren because of the strong values he left with them.

CONGRATULATIONS TO ROSE MARY SHEPHERD FOR 37 YEARS OF DEDICATED SERVICE AS AN EDUCATOR AND SCHOOL ADMINISTRATOR

HON. GLENN POSHARD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 1994

Mr. POSHARD. Mr. Speaker, I rise today to honor Rose Mary Shepherd, an educator and school administrator, who has enriched the quality of education for thousands of children in my district. Her strong commitment to the betterment of education in southern Illinois and across the Nation has provided students an opportunity to realize and achieve their goals and dreams.

Rose Mary Shepherd has served the southern Illinois school system for 37 years in several important capacities. After graduating

from Southern Illinois University in 1957, Rose Mary began her teaching career as an English teacher at Edwardsville High School in Edwardsville, IL. Rose Mary continued to teach in high schools and universities in southern Illinois until 1973. In 1977, Rose Mary began serving with diligence in the office of the regional superintendent as Assistant Regional Superintendent. In 1985, Rose Mary was appointed Regional School Superintendent of Clark, Coles, Cumberland, Edgar, Moultrie and Shelby Counties, a position she has proudly held until her retirement this year.

As an educator, I understand the commitment and hard work that goes into developing and maintaining a sound and successful educational program. On behalf of the people of the 19th Congressional District, I would like to congratulate Rose Mary Shepherd on her retirement, and personally thank her for dedicating her life to one of the most important and necessary professions in our country.

BOSNIA

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 1994

Mr. SOLOMON. Mr. Speaker, last week we in the House did ourselves proud by voting to lift the arms embargo against the beleaguered people of Bosnia. I would first like to extend my thanks and congratulations to the 242 Members who voted to do the right thing. The Western response to the Serb onslaught in the Balkans has been cowardly and myopic and I am proud to be a part of this body which chose to rise above the level of the bureaucrats who have scripted this shameful disgrace.

Mr. Speaker, George Melloan of the Wall Street Journal has written a magnificent article on the Bosnian situation, and I would like to submit it for the RECORD.

Mr. Melloan reveals what the true stakes in Bosnia are, eloquently weaving in the lessons we learned from WW II and D-day. The author also caustically, but accurately, describes the intellectual and moral poverty of the United Nations, European Community, and United States response to this 3-year-old crisis.

Basically, says Mr. Melloan, the issue in Bosnia is not peace, but peace with freedom and justice. Just as it was during WW II. If the logic of the peace-at-any-price bureaucrats running our Bosnia policy were applied to WW II, D-day would have never happened. We and the British would have just rolled over, all in the name of peace. Well, Mr. Speaker, fortunately we had some moral leadership during WW II, as well as during the cold war. But today we have no moral leadership. We have only bureaucrats. As Mr. Melloan aptly states, "Only real leaders deal in values. Bureaucrats just do arrangements." I share Mr. Melloan's contempt for these bureaucrats and I am sure the majority of those who voted to lift the embargo do too.

The problem, Mr. Speaker, is that the Clinton administration still does not appear to have gotten the message. As we read in the article, Secretary Christopher, on the day we

voted to lift the Bosnian embargo, was busy doing an arrangement of his own, telling Serbs that we will lift the embargo against them if they accede to a plan to divide Bosnia. But asked whether we would resurrect our discarded plan to arm the Bosnians in the event that the Serbs blocked the partition plan, Secretary Christopher wasn't talking. In other words, a carrot for the aggressor Serbs, and a stick for the Bosnian victims. In other words, an arrangement, not justice.

This is why I have dubbed this administration the "appeasement" administration. Mr. Speaker, and it is why the conferees on the defense bill should include the House language on Bosnia. For without congressional leadership, there won't be any leadership.

I thank the Speaker and submit the article by Mr. Melloan for the RECORD.

[From the Wall Street Journal, June 13, 1994]

NOT JUST PEACE, BUT JUSTICE, IS WHAT BOSNIA WANTS

(By George Melloan)

President Clinton should take a few minutes this week to listen to the tapes of his own D-Day speeches. What he said about the war of a half century ago has application to a bloody struggle on European soil today. The Bosnian war was shoved off the front pages and airwaves by last week's Normandy celebrations, but it hasn't gone away.

The Allies of 50 years ago knew what they were doing. It wasn't "peacekeeping." It was war-making, against a tyranny that had locked its iron grip on Europe. Generals and privates alike believed in the Allied cause, which helps explain why so many willingly faced death and why the Allies ultimately prevailed.

It has been argued by President Clinton, among others, that things were "simpler" back then. Everyone knew that the Nazis were the bad guys. But are things really so much more complicated today? Only a little over a year ago, the West was willing to call Serbia the aggressor against the Bosnian government, something that seemed self-evident to everyone in the world who owned a television set. "Ethnic cleansing" and lobbing shells into crowded market places did not qualify the top Serbs, Slobodan Milosevic and Radovan Karadzic, to be anyone's heroes or role models.

Things only got complicated in May 1993, when the Clinton administration decided that the U.S. should avoid "taking sides" in Bosnia. In other words, the U.S. approach would be purged of all considerations of values or ethics. While that might be consistent with the way much public policy is made these days, it's a shallow-minded way to approach a war. The Bosnians want peace, but more than peace they want justice. Because the thirst for justice is a powerful human impulse, the Bosnians have fought on, even though outgunned by Serbia and constantly advised to settle—and even threatened if they don't—by the U.N. and U.S.

If the United Nations had been conducting U.S. foreign policy in 1940, as it appears to be today, it would have advised England to accept Hitler's offers of peace. A politically decadent France had been quickly vanquished and Hitler's armies were poised to vault the channel. We'll send some "peacekeepers" to protect you, the U.N. would have said. There were no such seductive promises to Winston Churchill, not that it would have mattered. He defied Hitler and began preparing to defeat the evil Nazi empire.

The relevance today of those long ago events has to do with that word "justice."

The Bosnians don't think the U.N. is interested in delivering justice. Why should they? Only real leaders deal in values. Bureaucrats just do arrangements, such as the proposal that Bosnia accept Serb control over 70% of its territory. The communities and properties Bosnians had lost to ethnic cleansing would go to Serbs. What kind of justice is that?

Since then, and particularly since the Bosnian army began demonstrating greater effectiveness, the U.N. has sweetened its offer. But if the Bosnians have strong suspicions that the U.N. and the West have been merely following the path of least resistance, they have ample justification. The U.N. embargo crippled Bosnia's ability to obtain heavy weapons to fight the well-armed Serbs. It put Bosnia at a great early disadvantage it has not yet overcome.

Moreover, Yasushi Akashi, the U.N.'s limpwristed vicar in Bosnia, even seems willing to spare the Serbs from embargo hardships. An article in London's Daily Telegraph last month said that quantities of imports, including oil and material for armaments, are flowing into Serbia across its border with Macedonia. An anonymous U.N. official was quoted as saying that Mr. Akashi had termed this violation an "external" matter having nothing to do with him.

Mr. Akashi, as with most bureaucrats, keeps his finger to the wind. He has no doubt noticed that the Russians are back in business, as of February, and are siding with the Serbs. The French, unabashed by the fact that they have lost three wars and caused untold hardship for their allies in this century, are applying their vaunted realism to trying to stage-manage this war. Mr. Clinton, apparently, would just like to forget the whole thing.

Bosnians and Serbs agreed to yet another "ceasefire" last week. For the moment, the horrors of Rwanda, the Yemens and Haiti and a bellicose North Korea dominate TV screens. But nothing is settled. Just before last week's agreement to suspend hostilities for a month—a deal that has at least reduced the level of violence—the war had reached a crucial strategic juncture. The Serbs were beginning to feel that their gains were threatened.

Two things have happened. The Croats, who were the first victims of Serbian aggression, are aligning themselves when it suits their interests with the Bosnian army. That's because a few local beatings have persuaded them that the Bosnians are becoming a more effective military force. The second development is that the focus of the war has shifted to a town called Brcko, which controls the route through which supplies from Serbia move to Serb forces in Bosnia and Croatia. Should the Bosnian and Croatian forces retake Brcko—a Bosnian Muslim enclave before the Serbs "cleansed" it early in the war—it could swing the military advantage away from Serbia and toward the Bosnians.

The U.N.'s reaction to this possibility was to try to make Brcko a safe haven—for the Serbs who now occupy it. Then Mr. Akashi pushed for a ceasefire, which the Serbs badly wanted, no doubt to enable them to strengthen their grip on the strategic corridor that runs through Brcko. Standing up to heavy pressure from the U.N. for a long cessation of hostilities, the Bosnians last week agreed to stop fighting, but only for a month.

So what is the U.S. position now? At a NATO gathering in Istanbul last week, Secretary of State Warren Christopher offered a

clue. He said that the Clinton administration would consider lifting the sanctions against Serbia if the Bosnians didn't accept a settlement the U.S. will soon devise. That's a rather idle threat when you consider that the U.N. isn't stopping much materiel from getting into Serbia now. But it was symbolic. It meant that the U.S. has turned over world leadership to France.

From having branded Serbia the aggressor, the U.S. has swung 180 degrees and is now putting the heat on the victims, just when the Bosnians are beginning to fight back with some effectiveness. Realism indeed. No wonder the Bosnians, and much of the world, wonder whatever happened to that sense of justice that motivated the heroics of D-Day.

THE ISLAND OF GUAM MOURNS FOR THE ARRIOLA FAMILY

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 1994

Mr. UNDERWOOD. Mr. Speaker, this week, the people of Guam and Chamorro all over the Nation share the sorrow of the Arriola family. Last Monday morning in Oceanside, CA, Marine lance corporal Jesse Arriola and his wife, Angela, left their children with Jesse's brother, Joey. Shortly thereafter, a fire broke out in the residence, killing the Arriola's four children and Joey.

Our prayers are with the Arriola family as they grieve for the souls of Joshua, Jesse, Joseph, Jeremiah, and Joey. On our island, we value family above all else and view our community as more than just a collection of strangers. The person down the street is not an anonymous face but a cousin, a brother, a sister. This familial bond does not stop at the shores of our island. Wherever a member of our family feels pain, we all share that sentiment.

The tragedy that has befallen the Arriola family strikes at the heart of our community. A family has been torn apart. So our extended family must respond with love and prayer and hope. We are with the Arriola's in their time of need.

INFO-HIGHWAY TO NOWHERE

HON. MARTIN T. MEEHAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 1994

Mr. MEEHAN. Mr. Speaker, the information superhighway envisioned by Vice President GORE and officials in the industry, has taken flight. The information age is allowing companies to conduct research at record speed and with minimal cost. New businesses have cropped up around the United States which specialize only in the dissemination of data and statistics. One such business, IQ Inc. was featured in a Christian Science Monitor article which I would like to share with you.

[From the Christian Science Monitor, Mar. 30, 1994]

INFO-HIGHWAY TO NOWHERE

(By James Matarazzo and David Manshel)

A stunning irony underlies the current push to create a National Information Super-

highway. The United States government is preparing to spend a minimum of \$400 million to get the proposed information conduit up and running over the next several years—but is ignoring the dwindling supply of information professionals trained in "data acquisition" that the National Information Superhighway will require to operate.

The U.S. government has to foster the growth of "information managers," or we will have built a road at the same time we have closed some of the most important on-ramps.

That is because corporations and others are closing their business and technical information centers at a furious pace. Since 1990, hundreds of prestigious information centers, such as those at the Bank of America, Liberty Mutual Insurance, Department of Defense bases, Department of Defense bases, Department of Interior, Houghton Mifflin, Digital Equipment Corporation, and the Engineering Societies Library have closed or been drastically curtailed. Many of these units were in operation 30 years or more.

Furthermore, fewer aspects are around who have the necessary experience and credentials. The number of Masters of Library and Information Science Degrees conferred to the last decade has decreased 50 percent. These graduates will be many of those with the skill and know-how needed to navigate 150,000 on-line sources of information and 200 million on-line records.

Yet we see self-congratulatory rhetoric that "information" is America's competitive edge and that the federal government will foster the growth of these information conduits or networks.

Do public officials really believe that harried executives will find the time or acquire the expertise to use a GOPHER program? Or patiently investigate the data bank categories of Dialog? Much less quarry the card catalogue of the Library of Congress.

The answer to this vacuum of expertise lies in a two-pronged solution. First, in tandem with the kind of government support and subsidy that is impelling creation of the information superhighway, there has to be support for the training and employment of experts in "data acquisition"—the intelligent identification, sifting, collating and interpreting of the oceans of data ready to course through this information superhighway.

Second, the government should encourage a recently introduced entity in the private sector: professional "informants" at commercial information agencies—small, technology-rich, information-skilled entrepreneurial companies they have carved a niche by supplying "briefings" on demand on an overnight basis to the nation's decisionmakers.

Such widely respected companies as ITT/Sheraton, McCann-Erickson, Phillips Petroleum, FMC Corp., Smith Barney Shearson, Maxwell Laboratories, and McGraw-Hill have tentatively begun using the "informant" alternative and are achieving results.

They need to be encouraged to continue using this commercial information agency option; both to spur the growth of these important new riders on the nascent information highway and because their use maximizes management time and resources that are often frittered away on dead-end research.

Simply giving desktop access to information resources to untrained, overburdened, or unmotivated executives only adds to the "hidden costs" of corporate downsizing. Cor-

porate executives now face a "make or buy" decision: If they are to maintain the competitive advantages of our "information society" they must choose to maintain either the in-house information center or the services of "informants" at commercial information agencies, or both. The federal government should encourage any of these options.

If our elected leaders allow the current decline to accelerate, we may find we have built a National Information Superhighway to nowhere.

PERSIAN GULF SYNDROME

HON. DICK SWETT

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 1994

Mr. SWETT. Mr. Speaker, thousands of American service personnel who served in the Persian Gulf war are suffering from a multitude of symptoms and ailments, very likely as a result of their service in that region. These ailments include muscle and joint pain, memory loss, and sores and rashes. Thus far, physicians have been unable to diagnose the cause of these disorders. But they know it is real and they have given it a name—Persian Gulf Syndrome. Real people are suffering real illnesses—illnesses that have caused many of them to be unable to serve their country, support their families, or maintain a normal, active life.

What causes this illness? We do not know, and we will not know until our Government conducts a complete, thorough, and honest investigation.

Mr. Speaker, the Senate Committee on Banking, Housing, and Urban Affairs recently released a report which concluded that, despite the Department of Defense's repeated denials, there is substantial evidence that U.S. servicemen and women were exposed to low-level chemical and biological warfare agents and toxins during the gulf war.

If our service personnel in the gulf were exposed to dangerous chemicals, we need to know that and we need to know it now. This exposure may account for many of the symptoms our veterans are experiencing.

If exposure to chemical weapons is not the cause of Persian Gulf Syndrome, then what is? Could it be the smoke from the hundreds of burning oil wells? Or was it the quantity or quality of the nearly 40 protective inoculations given to the soldiers before they left for service overseas? Whatever the reasons, we must be swift and certain in our response to this tragic situation.

Mr. Speaker, I am pleased to be a cosponsor of legislation that will offer some relief to our soldiers who are suffering from this mysterious illness. The Veterans' Persian Gulf War Benefits Act would: First, provide benefits to Persian Gulf veterans with disabilities from their service in the war; second, direct the Veterans' Administration to develop case protocols and definitions; third, establish an outreach program for Persian Gulf vets; and fourth, authorize further research. This legislation has received the full endorsement of Veterans' Affairs Secretary Jesse Brown, the American Legion, and the Vietnam Veterans

of America. I laud the efforts of Secretary Brown and these distinguished organizations and urge all of my colleagues to join me in supporting this important piece of legislation.

Mr. Speaker, Persian Gulf Syndrome, like agent orange before it, is a tragic side effect of war. Unlike agent orange, however, we are immediately confronting this issue and immediately providing support to our veterans. I commend the efforts of the Veterans' Administration and urge the Pentagon to continue to share information as it becomes available—information which will help us restore the health and the well-being of our Persian Gulf war veterans. We owe that much to them, at the very least.

CONGRATULATIONS TO RICHARD J. PLATTE, CONTROLLER, KENT COUNTY, MI

HON. VERNON J. EHLERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 1994

Mr. EHLERS. Mr. Speaker, I rise today to acknowledge Richard J. Platte for his 29 years of faithful service to Kent County, in the heart of western Michigan. Mr. Platte, known as Dick by his associates and friends, has demonstrated a remarkable dedication to his administrative and fiscal responsibilities over the past 29 years. He will be honored by the community today for his retirement from his position as controller of Kent County.

A native of Kent County, Dick attended Grand Rapids Catholic Central High School, and pursued his degrees in higher education at Grand Rapids Community College, Michigan State University, and Aquinas College. He received a bachelor of science degree in urban planning from Michigan State University followed by graduate study at Aquinas College. In addition to his academic achievements, Dick has been the proud father of two sons, Joe and Dan and a dedicated husband to his wife, Susan.

During his tenure with the county, Dick served as county planner, administrative assistant, deputy controller and controller. For the past 19 years as county controller, Dick has managed the financial position of the county. In addition, he served as administrator for the Kent County Board of Commissioners on policy issues as well as advising and managing all of the county departments.

Dick displays integrity, honesty, and a strong work ethic and expects the same from his employees. His outstanding work performance, coupled with a keen understanding of conservative fiscal policies and commitment to the delivery of high-quality services, are the hallmark of his success. Dick's leadership has secured top bond rating for Kent County, a rating held by only 12 other counties in the country.

Dick has also been actively involved in the community. He is involved with the work of many organizations, including Heart of West Michigan United Way, Kent County Cooperative Extension Program, Close Up, the Grand Valley Metropolitan Council, and the Grand Valley Blood Drive Program.

Mr. Speaker, I ask that the House of Representatives join me, the county board of commissioners, Dick's family, and his many friends in honoring Dick for his extensive and dedicated service. Over the years, Dick has touched the lives of many people in our community and it is fitting that the House recognize him today.

HEALTH CARE WINDFALL FOR ORGANIZED LABOR

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 1994

Mr. GINGRICH. Mr. Speaker, I thought my colleagues might be interested in the op-ed written by our colleague, Representative CASS BALLENGER. Representative BALLENGER clearly spells out how the Clinton health care plan creates yet another Government-sponsored windfall for organized labor.

[From the Journal of Commerce, May 6, 1994]

HEALTH-CARE WINDFALL FOR LABOR

(By Cass Ballenger)

With the help of millions of dollars in lobbying funds, organized labor has sent a message: Passage of President Clinton's health Security Act is labor's top priority. A close inspection of the bill shows why. Mr. Clinton's health plan would create yet another government-sponsored windfall for organized labor.

Mr. Clinton's plan will require virtually every employer to pay for 80% of employees' health-care premiums. It also would require employers to honor previous agreements, even if the benefits exceed what is mandated in the national plan.

Consequently, labor representatives in unionized companies will press for new benefits in other areas, such as increased wages or more generous retirement packages. But that's not all. Under the Clinton plan, employers would have to negotiate with labor representatives over who will pay the remaining 20% of premium costs.

Currently, under the National Labor Relations Act, issues that may be negotiated by labor and management are separated into two classes: mandatory and permissive subjects of bargaining.

Mandatory subjects include wages, benefits, working hours and working conditions. Changes to these subjects may not be made by the employer without first bargaining with the union.

Bargaining over a mandatory subject, such as health care, occurs when management and labor insist on different benefits. If they are unable to reach an agreement, labor may strike, or business may "lock out" employees over the issue. If an agreement is reached, changes to mandatory subjects covered in the agreement may not be made unilaterally by the employer.

Permissive subjects of bargaining, on the other hand, include any other item that the union and the employer may bring to the table, such as requiring secret-ballot strike votes and other internal union affairs.

With permissive subjects, either party may initiate bargaining. The talks depend on the willingness of both sides to participate. If one party objects, the issue is taken off the table. Unions may not order a strike, nor employers a lockout, over permissive subjects. The subject is simply left unresolved.

The Clinton health-care plan would give organized labor one more area of mandatory bargaining. This is not the first time the government has proposed to give unions such an advantage. For example, the minimum wage law establishes a floor from which wage rates can only be negotiated upwards. Similarly, health and safety laws substantially diminish the need for bargaining over health and safety issues, allowing unions to spend their bargaining time and resources on other issues, such as increased benefits.

The Health Security Act goes well beyond a minimum wage, or some other mandated minimum. Rather than requiring employers to provide a basic benefits package for employees, the plan would mandate "comprehensive and secure health care coverage."

Included in this comprehensive coverage is hospital care, emergency services, preventive care, mental health and substance abuse services, family planning, pregnancy-related services, hospice care, home health and extended care services, ambulance services, outpatient laboratory and diagnostic services, prescription drugs, vision and hearing care, periodic medical checkups and preventive dental services for children.

Given this "Cadillac" plan, it is ludicrous that employers would be obligated by law to negotiate over additional health-care benefits, on threat of suffering the consequences of a strike. Yet under mandatory bargaining, labor unions would demand even greater concessions from already strapped employers.

Under the Clinton bill, for example, companies with 5,000 or more employees could form a "corporate alliance," rather than joining a "regional alliance" with other firms. The choice carries tremendous implications for companies and workers alike; as a result, it could become a focus of labor negotiations.

Even smaller employers using outside, certified health plans could be forced to negotiate over which provider to choose. Other decisions traditionally left to management also could be affected.

Moreover, employee benefits established under previous collective bargaining agreements would not be affected by the Health Security Act. Union workers would enjoy the best of both worlds: federally mandated benefits and benefits guaranteed under their labor contracts.

According to the Service Employees International Union, health care is the No. 1 issue at the bargaining table and the No. 1 cause of strikes in unionized companies. While allowing management to negotiate health care benefits for their employees may be a good idea, mandating that they do so is not.

Therefore, during markups of the president's bill, I will propose eliminating health care as a mandatory subject of bargaining, thereby reducing much of this tension between labor and management.

Without such an amendment, the Health Security Act will harm employers by requiring them to pay for comprehensive health benefits that far exceed a "basic" package. The act would give unions the force of law to demand even more concessions from companies.

When promoting his health-care plan, the president speaks of the need for equity of care for all Americans. Why, then does the president's plan so obviously favor one group over another?

With millions of union dollars pouring into Democratic campaign coffers, that question is easy to answer.

WASHINGTON REPORT

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 1994

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, June 15, 1994 into the CONGRESSIONAL RECORD:

THE U.S. TRADE DEFICIT

During the past year, the U.S. economy has improved on several fronts. Economic growth is up, productivity is up, the federal budget deficit is down, and the unemployment rate is down. But there has been little improvement in one area—the trade deficit.

Last year Americans bought \$132 billion more in goods from other countries than they bought from the U.S. About \$60 billion of this deficit was with Japan alone. Our trade deficit is lower than it was in the mid-1980s, but it is still much higher than it was a few decades ago, and the 1993 deficit was 37% larger than the previous year's. What are the causes of this deficit? What are the implications? How serious a problem is the trade deficit?

Causes.—Several factors have caused the U.S. trade deficit. First, over the past several years other countries have narrowed the U.S. lead in productivity and technology. That means they need to buy less from us and have more to sell us, thus driving up our trade deficit. A second factor is the value of the dollar. During the 1980s the U.S. dollar reached its highest level relative to other currencies in decades, although it has come down some since then. A higher value for the dollar makes U.S. goods more expensive overseas and also makes foreign products cheaper in the U.S.—thus boosting our trade deficit. Third, the large federal budget deficit also contributes to the trade deficit. The budget deficit has been covered largely by huge inflows of foreign capital attracted by our relatively higher interest rates. That keeps demand for the dollar high, which increases its value and makes U.S. goods more expensive abroad. A fourth factor is the low U.S. savings rate. When U.S. investment demand exceeds national savings, we turn to foreigners to fill the gap—and that means massive imports of capital from abroad in exchange for U.S. assets. In the 1950s and 1960s, the U.S. had considerable trade surpluses because we had more savings than investment. Fifth, we have inadequate market access in other countries. America has large trade deficits with Japan and China. Japan has the world's second-largest market, after the United States, but Japan does not import manufactured goods at anywhere near the rate of other large economies. And China, which is not a member of the General Agreement on Tariffs and Trade (GATT), does not adhere to the same principles of free and open trade that the U.S. does. A sixth cause of the trade deficit is the fact that the economies of Japan and Europe are growing at slower rates than ours. When countries are not growing, their appetite for imports—including U.S. imports—declines. Likewise, when economies are growing, as the U.S. economy did last year, they tend to purchase more goods from abroad.

Significance Of The Problem.—There are two different views on the seriousness of the U.S. trade deficit. The first is that the trade deficit is not a major problem. A large inflow of imports helps keep our inflation rate low,

since more imports mean greater price competition. This competition means greater choices and cheaper goods for consumers. Our deficits have also provided developing countries a market for their goods so they in turn will be able to purchase more imports.

The other view contends that the large trade deficit hurts U.S. companies and costs American jobs. This view holds that the trade deficit is a serious problem because it indicates that Americans are buying more foreign products instead of U.S. products, thus creating jobs in other countries. That means lost profits in the U.S. and fewer good-paying jobs for less-skilled workers.

Goods And Services.—The debate has been complicated by different ways of measuring the trade deficit. The merchandise trade balance, which measures trade in manufactured goods, is the figure usually cited as the U.S. trade deficit. But the current-account balance is a broader measure that includes not only manufactured goods but also services such as tourism and insurance. This gives a more comprehensive sense of overall U.S. trade performance, since the U.S. economy is dominated by service industries. In fact, nearly 80% of Americans work in service industries, accounting for about 70% of the nation's gross domestic product. The U.S. current-account figures show a much smaller trade deficit of \$76.8 billion in 1993, some 42% less than the merchandise trade deficit of \$132.4 billion. To put this in perspective, the \$76.8 billion current account deficit is about 1% of the size of the overall U.S. economy.

Policy Prescriptions.—While some economists say that the trade deficit is a non-problem, my view is that it is serious but not devastating. There is no reason to panic about the trade deficit, but we would be better off getting it down. The basic problem is that it mortgages future U.S. income to foreigners. We must send huge payments abroad on what we owe them, and could be exposed to financial crises whenever the confidence of foreign investors in the U.S. economy is shaken. A large trade deficit tends to feed strong feelings of economic nationalism here at home and increase the risk of a trade war.

Several steps should be taken to improve the overall U.S. trade performance. We should put a heavy emphasis on increasing exports. This has been the approach of the Clinton Administration, which has supported both NAFTA and the GATT in an effort to reduce overall world trade barriers and has implemented several new export promotion programs. We should also demand that specific trading partners provide the same access for U.S. goods as we provide for their goods. Market opening negotiations with Japan, for example, are continuing. We should try to persuade people to switch their demand from imported to U.S. goods. In addition, we should continue to reduce the federal budget deficit in order to reduce domestic demand, and take steps to encourage greater national savings. Finally, we need to give attention not just to the trade numbers but also to what we are exporting. Reducing the trade deficit by selling more computer chips would do more to improve U.S. competitiveness and support high-paying jobs than would exporting more potato chips. Improving our competitive position starts with education and training as well as technology development.

There is no simple solution to reducing the trade deficit. It has worsened over the years due to a variety of factors, and it will take efforts on several fronts to bring it down.

TRIBUTE TO THE SURVIVORS OF D-DAY

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 1994

Mr. COBLE. Mr. Speaker, I was privileged and honored to participate in a North Carolina ceremony to commemorate the 50th anniversary of the invasion of Normandy. This moving tribute to living D-day participants from our area was held at the Greensboro Historical Museum in Greensboro, NC.

What made this tribute so special for me was the first-person testimony of the surviving servicemen. Each told his story of that fateful day of June 6, 1944, when America and her Allies launched the largest military invasion in history. Each veteran who spoke at the Greensboro event recounted his role in the Allied victory over tyranny. In addition, a Greensboro woman spoke about the situation on the home front at the time of the invasion.

As a Korean war era veteran, I was honored to be asked to participate in the ceremony which commemorated the 50th anniversary of that historic World War II event. On behalf of the citizens of the Sixth Congressional District of North Carolina, we wish to recognize the contributions of the local men who landed at Normandy some 50 years ago. We salute: Bob Benbow of Greensboro, a member of the Navy's landing ship tank group; Gerald Clough of Jamestown, part of the 9th Air Force; Archie Coleman of Greensboro, who flew in with the Army Air Corp's 82d Airborne Division; Frank Ellington of Eden, a member of the Army's 4th Infantry Division; and Weddie Huffman of Greensboro, who operated one of the Navy's landing ship gun positions.

Each member of the D-day invasion gave an eyewitness account of what occurred in Normandy a half-century ago. Mrs. Min Klein of Greensboro also spoke at the commemorative program and told the audience about the activities and concerns back at home. Mrs. Klein and her husband generously opened their home to any serviceman during the war. Her family operated what amounted to a welcome center or USO center out of their Greensboro home. Her family's efforts on the home front helped assure victory overseas.

Our thanks also go to Ned Harrison of Greensboro. Mr. Harrison coordinated and hosted the D-day commemorative program at the Greensboro Historical Museum. Ned, a World War II veteran himself, was not part of the D-day invasion, but served his country well as a member of the 15th Air Force.

The citizens of the Sixth Congressional District of North Carolina salute the surviving members of the D-day invasion, as well as all veterans of World War II. We also thank the Greensboro Historical Museum for honoring their efforts 50 years after their tremendous achievement.

FURTHER REMEMBRANCE OF THE
VETERANS OF SOMALIA

HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 1994

Mr. DORNAN. Mr. Speaker, I would like to include in the RECORD six more stories on the brave United States fighting men who sacrificed their lives in combat in Somalia.

[From the Army Times, May 30, 1994]

WHEN THE BASS RAN, IT WAS TIME FOR LEAVE
Every May, Spec. Mark E. Gutting, 25, would try to schedule his leave around the opening of bass season.

"To say he liked to fish is an understatement," says his father, Eugene Gutting. Fishing is a Gutting family enterprise, and Mark was an enthusiast. The family would take off for Lake Mitchell in Cadillac, Mich., when Mark was home on leave, says his mother, Barbara Gutting, herself an avid fisherman.

The youngest of six children, Mark Gutting grew up in Michigan with a love of the outdoors. "He enjoyed just going out and sitting in the woods," his mother recalls. "Supposedly he liked hunting, although he never got anything. I think he enjoyed the solitude as much as anything."

"He had a funnier side that we often saw," she says, remembering, too, that Mark had a knack for lifting spirits and making people laugh.

"He had a good sense of humor and a lot of feeling for people," Eugene Gutting says. "He was especially concerned with helping new recruits."

Mark Gutting studied economics and international business at Central Michigan University before enlisting in the Army. "He decided to go into law enforcement, and he thought going into the Army would be good training and a stepping stone to that," Eugene Gutting says.

As a military policeman, Mark Gutting served in Operation Desert Storm and spent two years in Panama before being assigned to Fort Riley, Kan., in June 1993. At Riley, he was hoping the stateside assignment would mean regular hours and time to go back to school. Instead, two months after going to Riley, he went to Somalia with the 977th Military Police Company.

There, on Aug. 9, he and three other soldiers died patrolling Mogadishu when a remotely detonated bomb ripped through their Humvee.

Mark Gutting was awarded the Purple Heart and a Bronze Star, his father says. "I thought the Army did a fine job [handling his death]," Eugene Gutting says. "There is a great deal of compassion there." Calls and letters from Mark Gutting's friends who served with him in Panama and Somalia have given the family a glimpse of their son they might not otherwise have had.

HE HAD "THAT SMILE" AND A DRIVE TO HELP

"That smile" is something people are apt to bring up when they talk about Sgt. Cornell L. Houston.

It was his smile that his wife, Carmen, remembers about their first encounter. She was walking down the street in her hometown of Mobile, Ala., when a car stopped to give her a ride. Inside was a girlfriend and a guy she didn't know. He had a big smile on his face. It was Cornell Houston.

The Rev. Clate Borders of Thomas Memorial AME Zion Church in Watertown, N.Y., remembers that smile, too.

"I'll never forget it. He had a gold tooth up front," Borders said.

Carmen Houston, 29, recalls her late husband's laugh. "He would tell a lot of jokes. He just had a way of making even your worst day . . . better."

In many ways, Cornell Houston, 31, was a typical soldier. He missed his family; being away from them was hard, Carmen Houston said. But in other ways, Cornell Houston stood out. "He wanted to help everybody," Borders said. "He liked to help those who could not help themselves."

He also had "willingness to take hold of anything and get it done," Borders recalled. The minister remembers mentioning to Houston on one occasion that the outside of the church needed to be cleaned. A short time later, Borders said, the grounds had been cleaned. Houston had rounded up a crew and took charge of getting the job done. "He didn't wait for things to get done," Borders said.

Borders also remembers Houston coming to him to talk about joining the choir. "I don't know how to sing, but I've always wanted to do it, and I want to give it a try," Houston said.

Houston was so open and wanted so badly to learn that Borders sent him to the choir director. "I thought he did OK," Borders said.

After arriving at Fort Drum, N.Y., Houston became a Mason and was a board member of the Watertown church.

Houston was assigned to C Company, 41st Engineering Battalion, at Fort Drum. He had arrived in Somalia in August 1993 on his second tour. He was wounded October 3, sustaining chest injuries, and died October 6 in the Landstuhl Army Regional Medical Center in Germany. Houston has been honored posthumously with the Purple Heart medal and the Bronze Star Medal with "V" device for valor.

Borders believes the best way to remember Cornell Houston is for everyone to "pick up his banner and go forward with it into the community."

Carmen Houston also wants people to remember Cornell Houston for his caring side. "It's like . . ." her voice trails off. "I miss him so much."

THE MEMORIES INCLUDE HIS MEDAL OF HONOR

MSgt. Gary I. Gordon was a smart kid, his teachers used to say, but he spent entirely too much time doodling.

Tanks, battleships, helicopters, "anything and everything military-related," his mother, Betty Gordon, says from her home in Lincoln, Maine. But even though his imagination often drifted to things combative, his mother was surprised the day her son, then 17, announced he had joined the Army.

Gary Gordon, 33, was one of 18 soldiers killed during the Oct. 3, 1993, clash with Somali gunmen in Mogadishu, Somalia. He is credited with saving the life of an injured pilot and was to be awarded the Medal of Honor posthumously May 23.

His family remembers a quiet man with an artistic flair and a desire to write books about children.

"He didn't talk much about his job, but I know he loved it a lot. It was like the ultimate job to him, being in that unit," his wife, Carmen, says of her husband's affiliation with soldiers attached to U.S. Army Special Forces Command, Fort Bragg, N.C.

"He didn't bring the military home though," she says.

"The Gary I saw was all about family . . . and his children. He had these

special times with Brittany and Ian," like on Sunday mornings when he would spread the Sunday newspaper out on the kitchen table, she says.

Brittany, 3, "always had to be a part of the newspaper thing," said Carmen Gordon, 29. "Gary would give her a sheet of newspaper and pour a little bit of coffee into her sip cup, and she'd sit there and mimic his every move, right down to the elbows on the table."

And there were the woodworking sessions with Ian, 6.

"When Gary made furniture, Ian was always out there right by his side. Gary would give him some wood scraps, a hammer and a big thing of Elmer's glue, and there they were, the both of them covered in saw dust," Carmen Gordon says.

After his death, Carmen Gordon went through his personal items and came across a letter her husband had written nearly five years before while in a hangar in Panama during Operation Just Cause.

"It was filled with dreams of Ian growing up strong and of having grandchildren on his knee, but his last words were: 'In case something should happen to me, be strong, never give up, and always look inside yourself for strength.'"

"Knowing that he felt I was strong makes me want to carry on."

ONCE COMMITTED, HE DIDN'T WAIVER

Sgt. James Casey Joyce was a man who could be counted on once he had committed himself to a project.

Speaking of her son's leadership qualities, his mother, Gail Joyce, remembers "his ability to focus on something and to be completely committed to a cause or an idea; and once he made that commitment, he never wavered."

Nowhere was this trait more apparent than in his military career. After spending three years in two different colleges, changing his major a couple of times in the process, Casey Joyce enlisted in the Army in November 1990.

"He wanted to go into the Army to get some focus and some maturity," says his father, retired Lt. Col. Larry Joyce.

His father's military background "absolutely" influenced Casey Joyce's decision to enlist, says Larry Joyce. "He wanted to prove something to himself and to me."

Determined to excel, Casey Joyce "chose probably the most difficult and challenging assignment he could," says Larry Joyce. He volunteered for service in the 75th Ranger Regiment, Fort Benning, Ga. "I don't think I could have done what he did," the father said during his eulogy at the October 9 memorial service in Casey Joyce's native Plano, Texas.

The extent to which Casey Joyce steeped himself in the values of the Ranger creed can be measured by the awards and decorations he earned in less than three years of service. These included his airborne wings, the Ranger tab, the Pathfinder badge and the Meritorious Service Medal. They are capped by the Bronze Star for valor he was awarded posthumously for his actions on the night of October 3, when he died fighting Somalia guerrillas in the back streets of Mogadishu.

On at least two occasions, Casey Joyce also displayed an uncanny ability to predict the future. An avid Dallas Cowboys fan since boyhood, he had stood by his team during the lean years of the late 1980s. Then, while on leave in the summer of 1992, he went to the team's summer camp in Austin. "He predicted they were going to win the Super

Bowl long before anyone else did," says Gail Joyce.

He had made a similarly accurate prediction four years earlier while he was walking through a mall in Plano and saw DeAnna Gray, then a high school senior, standing behind a counter. "He said to his friend, 'I'm going to marry that girl,'" says DeAnna Joyce. Roughly 2½ years later, he did exactly that, in the same Plano church in which his memorial service was held.

Seven months after Casey Joyce's death, his widow's voice still chokes with emotion as she remembers talking to him by telephone the night before his death. "We were planning a trip—he asked me if New Orleans was OK," she said.

Hours later, a Somali sniper's bullet killed Casey Joyce and cost his family its most dynamic member. "He was the spice in our life," says his mother.

THE ROAD WASN'T EASY, BUT HE'D MAKE IT BETTER

Cpl. Richard W. Kowalewski Jr. didn't have an easy road, but he had plans to make his life better.

He bounced among several high schools as his parents moved, then broke up. He lived with his mother in Texas, with his father in Alabama, then with his grandparents in Pennsylvania. But he kept his sights on his future. Despite the school changes, he stayed enrolled in Junior ROTC. An avid chess player, he knew to plan his next several moves: After high school, he was going to join the Army, earn some money for college, get a degree in electrical engineering, and marry his girlfriend.

"He kind of knew we didn't have the finances to help him through college," says Richard Kowalewski Sr. "It was just something he had all lined up, even before he graduated from high school, that he was going to . . . go to the service, and then he could get his schooling."

The younger Kowalewski completed basic training in June 1992. He was assigned to the 3d Battalion, 75th Ranger Regiment, which deployed to Somalia in August 1993. Thoughts of his future shifted to focusing on a very tense present. "War is very sad and kills everyone in some way," he wrote to Donna Yarish, his fiancée, one week before his death at age 20 in the October 3-4 firefight.

He had been planning to come home Thanksgiving, pick up his fiancée in Pennsylvania and introduce her to his family. By the time Thanksgiving arrived, the elder Kowalewski had attended his son's funeral at Arlington National Cemetery, Va., and a memorial service for the slain Rangers at Fort Benning, Ga.

Richard Kowalewski Jr. was among the Rangers killed while their convoy, under heavy fire, snaked through Mogadishu side streets, trying to rescue U.S. soldiers in a downed helicopter. He was awarded the Bronze Star Medal for valor.

Richard Kowalewski Sr. doesn't feel that sacrifice was repaid. He says for his son's funeral, the Army offered plane tickets and hotel rooms—for him and for his ex-wife. The senior Kowalewski was unable to use the plane ticket because he wanted the entire family to go together. He, his second wife, another son living with them and the grandparents who saw that Richard Jr. completed high school, paid their own way to Washington, then shared a single hotel room, the elder Kowalewski says.

"They wanted to do for the immediate family—the mother and the father—and that was it," he says.

But Army officials say they are limited by law in paying for travel expenses to funerals. The service can pay for travel for a spouse and children, and for parents only if the soldier was not married or childless.

"It wasn't that the Army didn't want to help [the Kowalewskis]; it couldn't," says Harry Campbell, an Army memorial affairs official.

But when the family attended a memorial service at Fort Benning, Ga., the Rangers provided forms for families to list travel expenses for reimbursement.

"When they send us a check, we'll just cash it and send another check back as a donation to the Rangers," Richard Kowalewski Sr. says. "The government, I felt, should have paid for it."

HE HAD WORRIED ABOUT THE FUTILITY OF DYING THERE

It had become a tradition in a family that had sent sons off to war: After Sgt. Dominick M. Pilla, 21, deployed to Somalia with his Ranger company in August 1993, the family put together a package of pepperoni sticks and balls of provolone cheese. Dominick's father, Benjamin Pilla, had gotten such a package when he was serving in Vietnam. Frank Pilla, Dominick's brother, had gotten one while off the coast of Kuwait during the Persian Gulf War.

Dominick Pilla's package was returned unopened to his parents' home in Vineland N.J. He had been killed before it reached him.

Dominick Pilla had heard his father's war stories and had seen the pictures he'd brought home from Vietnam.

"I told him how people get killed and get wounded, lose arms or legs," says his father. "It's not all glory. He knew that."

Regardless, Dominick Pilla decided as an adolescent that he wanted to join the Army and be a Ranger. He enlisted in the Delayed Entry Program while in high school, then took up a rigorous exercise and body-building program to prepare for Ranger training.

Benjamin Pilla and his wife, Diane, say Dominick Pilla had the cockiness of a quick study who excelled at his interests. For example, he liked riding Benjamin Pilla's 1,400cc Harley Davidson motorcycle, among the biggest made. "He took his motorcycle test on it and passed," Benjamin Pilla says. "Most guys fail the first time on the big bike. He was a natural."

The bike sat for months after October 3. "I couldn't ride that thing all winter," Benjamin Pilla says. "I just let it sit there because it reminded me of him too much. . . . The last letter I got from him from Somalia, he said when he comes back, he was going to buy one so we could go riding together."

Dominick Pilla and his father had a long talk in June 1993, during Dominick's last leave before deploying to Somalia. "He said, 'I realize what we do, I could get killed or wounded. I just hope it's not Somalia or Bosnia.' He knew the futility of it," says Benjamin Pilla.

Dominick Pilla was with a convoy taking an injured soldier from the October 3 firefight to be treated. He was killed when the U.S. Humvees were ambushed. Dominick Pilla was posthumously awarded the Bronze Star Medal for valor.

"He was always a good, decent kid," says Benjamin Pilla. "Never in trouble, had good respect for law and for authority. Never gave me any trouble at all."

"That's the kind that die, unfortunately."

ANTI-FLAG DESECRATION AMENDMENT GAINS SUPPORT OF 43 STATES

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 1994

Mr. SOLOMON. Mr. Speaker, after celebrating Flag Day yesterday, it is an appropriate time to take a moment to honor the symbol of our Nation: the American flag.

It was 217 years ago on June 14, 1777, that the Continental Congress adopted a resolution that gave us the American flag, known affectionately as the Stars and Stripes or Old Glory. And the world we live in today, just like the world which generations of Americans have lived in before us, is the best of the times and the worst of times. But at all times, America has honored this most special symbol of the strongest and freest nation on Earth.

Protecting the American flag remains a cause which is dear to my heart, not to mention to the hearts and minds of millions of Americans all across this land. People fought and died for the constitutional rights we hold so dear. However, the Constitution was not at Saratoga or Gettysburg or San Juan Hill or Normandy or the Pork Chop Hill or Khe Sanh or Kuwait City. Instead, the flag which embodied those rights was at all of those battles and many, many more. No wonder then that veterans and their families have such outrage when they see someone burning or otherwise desecrating the flag for political reasons.

Some folks condone this type of activity or surrender to those who portray it as a form of free expression. Well, while five unelected Justices of the Supreme Court say that the Constitution does not permit an anti-flag desecration statute today, there is no good reason why we cannot pass a constitutional amendment to allow Congress to penalize this conduct. And I'm not alone on this point. The legislatures of 43 States have passed memorializing resolutions calling on Congress to amend the Constitution to prohibit flag desecration.

For the record, the States which passed these resolutions include: (1) Alabama, (2) Alaska, (3) Arizona, (4) Arkansas, (5) California, (6) Colorado, (7) Connecticut, (8) Delaware, (9) Florida, (10) Georgia, (11) Idaho, (12) Illinois, (13) Indiana, (14) Kansas, (15) Louisiana, (16) Maine, (17) Maryland, (18) Massachusetts, (19) Michigan, (20) Minnesota, (21) Mississippi, (22) Missouri, (23) Montana, (24) Nebraska, (25) Nevada, (26) New Hampshire, (27) New Jersey, (28) New Mexico, (29) New York, (30) North Dakota, (31) Ohio, (32) Oklahoma, (33) Pennsylvania, (34) Rhode Island, (35) South Carolina, (36) South Dakota, (37) Tennessee, (38) Texas, (39) Utah, (40) Virginia, (41) West Virginia, (42) Wisconsin, and (43) Wyoming. State passing such resolutions in one chamber only include: North Carolina, Oregon, Washington, and Vermont.

A TRIBUTE TO CHARLES S. FURCA

HON. JAMES V. HANSEN

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 1994

Mr. HANSEN. Mr. Speaker, Mr. Charles S. Furca has served as Civilian Executive Assistant [CEA] of the Tooele Army Depot [TEAD] complex from June 1981 through August 1994. Headquartered at Tooele Army Depot near Tooele, UT, the complex comprises six sites in four States, and employs over 2,300 personnel. As the highest level civilian at TEAD for the last 13 years, Mr. Furca has been the constant at the complex through seven commanders. His continued dedication and loyalty exemplifies the highest ideals and standards of public service.

During his tenure as CEA, Mr. Furca was key in administering an annual operating budget of \$191 million, and was held responsible for 67 percent of the Department of Defense's stockpile of toxic chemical munitions. Under Mr. Furca's management, the TEAD complex remained responsive, flexible, environmentally responsible, and cost-effective. He has been adamant that customers' stringent quality and schedule needs be met, and has demanded assurance that dollars spent were fully justified and used wisely.

Mr. Furca was personally involved in the design and construction of TEAD's consolidated maintenance facility, a state-of-the-market automated overhaul facility. Due in large measure to his actions, the \$37 million building was completed on time and within projected costs—a rare feat these days—and the \$74 million equipment contract was reduced by over \$650 thousand with no degradation of required performance.

Under Mr. Furca's management, TEAD continued its enviable record in the environmental arena. The State of Utah praised the depot for running the best environmental management program of any Federal installation in the State. TEAD was also recognized by the Director of Army Safety with a special award of excellence for its proactive safety programs, and has won the Department of Defense's Value Engineering Award 5 straight years in a row with \$63 million saved.

Mr. Furca is a man of tested ability, sound judgement, and keen perception. He has performed his official duties with unswerving integrity and fearless determination. His forthright, frank, and honest attitude in relation to governmental matters makes him a public servant to be emulated by others. Time after time, he lead the efforts to make changes to the way the Government does business when the situation warranted. An example of this was his involvement in the development of official policy to utilize the Army Arsenal Act allowing depots to compete in manufacturing supplies for the Army. Mr. Furca led the efforts to design and manufacture a high-mobility trailer that the Army used as a pilot case for the Arsenal Act authority through the use of make-or-buy decisions, thus paving the way for depots to compete in the future.

Mr. Furca's tenure at TEAD has also seen defense downsizing resulting in severe workload reductions and budget cutbacks, which

has had a grave impact on the missions and workers at the depot. Through it all, Mr. Furca has provided guidance for closing one depot activity, downsizing three other depot activities, and resizing TEAD's workforce by cutting it nearly 40 percent to match funded workloads. Though TEAD has faced some of its greatest challenges during his administration, Mr. Furca never lost sight of the importance of employees' quality of life, with emphasis on the work environment, morale, and welfare of the people, and his actions have made his concern obvious.

Mr. Furca's outstanding performance of duty is in keeping with the finest traditions of public service, and reflects great credit upon himself, Tooele Army Depot, and the U.S. Army. He is exceedingly well equipped for the office he will shortly assume at Sierra Army Depot, CA. Mr. Furca's sterling character, great ability, and integrity are assurances that he will carry on in a like manner within the U.S. Army Industrial Operations Command. There is no doubt that Mr. Charles S. Furca, who possesses such fine attributes of mind and heart, will enjoy a long, happy, and successful career at Sierra Army Depot, and that he will be a credit to his new organization, to his new friends, and to himself.

40TH ANNIVERSARY OF MARLTON LIONS CLUB

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 1994

Mr. SAXTON. Mr. Speaker, the International Association of Lions Clubs is the world's largest service organization with a membership of 1.4 million in 41,700 clubs in 180 countries and geographic areas.

Their motto, "We Serve," exemplifies their many community service projects. Those projects include aiding the blind, conducting drug and/or diabetes awareness campaigns, and providing opportunities and support for the handicapped and needy.

The International Association of Lions Clubs has joined hands in a worldwide humanitarian effort to eradicate preventable and reversible blindness through Campaign SightFirst. In fact, the Marlton Lions Club is the only model club in New Jersey for this worldwide project.

On June 11, 1954, 21 members of the community of Marlton, New Jersey were granted a charter to join Lions worldwide in these endeavors and extend to the populace of Marlton these benefits.

Over the past 40 years, the Marlton Lions Club has extended the benefits of Lionism to their community. Specifically, the Club has either contributed to or sponsored such humanitarian projects as a drug awareness program for the community schools; annual scholarships; eye examinations and eyeglasses, as well as food baskets for the needy; and participation in various events in the Marlton community.

The Marlton Lions Club has become an integral part of the community it serves. It brightens the quality of life for the residents.

I, therefore, urge the House of Representatives to join me in recognizing June 11, 1994

as the 40th anniversary of the Marlton Lions Club.

TRIBUTE TO GEN DOAK

HON. SCOTT MCINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 1994

Mr. MCINNIS. Mr. Speaker, it is with great pride that I rise before you today to pay tribute to an outstanding Coloradan.

For the past 24 years, Gen Doak of Glenwood Springs has dedicated herself to the Glenwood Springs Library. Now, after so many years of service, she has decided to retire.

Gen and her husband, Ed Doak, will spend their golden years with their children and their grandchildren. They also plan to take advantage of the magnificent Colorado trails and mountains to pursue hiking, camping, and fishing. Ed retired after 44 years of selling lumber, and both of their retirements are richly deserved.

Mr. Speaker, I am pleased to commend Gen and Ed Doak for their outstanding contributions to their community and to the people of Glenwood Springs.

Both have earned reputations as trusted friends, and devoted parents. I ask my colleagues to join me in extending to them both our very best wishes for a wonderful and well-deserved retirement, full of prosperity and good health.

RETIRING DOAK LIKE RARE BOOK:
IRREPLACEABLE
(By David Frey)

GLENWOOD SPRINGS—When the Glenwood Springs library moved to its present location a decade ago, head librarian Gen Doak thought she faced a daunting task. It would take days to move shelf after shelf of books, she figured. But before the morning was over, 150 volunteers showed up and wrapped the project up in a matter of hours.

That sort of community support is what Gen remembers most fondly of her 24 years with the library. On Sunday, the community returned its gratitude, joining together at the Hotel Colorado to wish her a happy retirement.

"She's a symbol of the community," said Claudia Lange, vice president of Glenwood's Friends of the Library. Gen's warmth and wit transformed the institution, Lang said, "It makes the library something other than a place to pick up books. It gives it the human element. Gen epitomizes the humanity that we could all use."

Gen credits much of the library's success to the Glenwood community that has supported it. That community spirit, she said, is why she and her husband Ed have no intention of leaving town.

"We want to live in a real community with real people," she said. "I can't think of any better place to live."

Gen's retirement follows shortly after Ed left Big John's Building & Home Center, after 44 years of selling lumber. Ed said that at his age of 72, and Gen's age of 68, the time to retire had come for both of them.

Besides, Gen said, retiring now gives them time to enjoy active retirements together. "I like to play," she said.

Already, their plans for the summer are mounting. Both enthusiasts of the outdoors,

the Doaks have ambitious plans for hiking, camping and fishing, interspersed with visits to children and grandchildren.

Ed, who lent a lot of maintenance work to the library over the years, said he and Gen planned a clean break from the library, giving the newcomers a chance to get settled in. "When we retire, it isn't fair to the person who's coming in (for Gen and I) to be dabbling around" he said.

Gen said she had no plans of giving up the library altogether, though, and still intends to be involved in the citizens group, Friends of the Library.

Meanwhile, the library must search for a new head librarian. Debra Bosna, secretary and treasurer of the Glenwood Friends of the Library, thinks Gen's shoes may be too big to fill, though.

The key to being a great librarian, Bosna said, is experience. "The wealth of experience that (Gen has) is not easily replaced," she said. It would take the new librarian at least another 24 years to match Gen's contribution, she added.

LEGISLATION TO REQUIRE THE ARCHITECT OF THE CAPITOL TO ESTABLISH AND MAINTAIN A PERSONNEL MANAGEMENT SYSTEM

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 1994

Ms. NORTON. Mr. Speaker, today I introduce a bill to require the Architect of the Capitol [AOC or the Architect] to establish and maintain a personnel management system with modern personnel management principles. This bill establishes a personnel management system, provides a procedure for its implementation, and establishes a procedure to process discrimination complaints.

This bill is another important step in assuring that employees of the House and Senate have the same employment rights as other Americans. The AOC presents a particularly egregious example not only of an absence of most employee rights but of a personnel system that deserves the same as well.

The AOC, a legislative branch agency, is responsible for the structural, mechanical, and domestic care of the U.S. Senate and House buildings, Senate restaurants, Library of Congress buildings, Supreme Court building, the U.S. Capitol Building and Grounds, and the Capitol Power Plant. As of March of 1993, the AOC employed a staff of approximately 2,233 full-time employees. Since the AOC is a legislative branch agency, it is not subject to the provisions of many personnel statutes that guide personnel policy for other Federal agencies. At the request of Senator BARBARA MIKULSKI, a member of the Senate Committee on Rules and Administration and its chair Senator WENDELL FORD, GAO investigated personnel policies at the AOC and published its findings in April of this year. GAO found that the personnel system lacked consistent hiring and promotion practices, had no affirmative action program, was devoid of a performance appraisal system, failed to offer minimal skills-training opportunities, lacked a job classification system, exhibited deplorable underrep-

resentation among minorities and women in higher paying skilled and managerial positions, and had limited communication between management and the workforce.

This bill requires that systems to address these shortcomings be employed with standards and practices of modern personnel management practiced by other Federal and private sector organizations.

Today, three separate offices handle EEO complaints. The Senate Office of Fair Employment Practices handles complaints for all Senate employees and AOC employees who service buildings on the Senate side. The House Office of Fair Employment Practices handles complaints of all House employees but not AOC employees who work in House buildings. The Architect's Fair Employment Practices Office handles complaints of AOC employees who work in both the House and Senate buildings. Thus, while Senate AOC employees may file complaints with both the Senate Office of Fair Employment Practices and the Architect's Fair Employment Practices Office, the House AOC employees may only file complaints with the Architect's Fair Employment Practices Office. The Architect's Fair Employment Practices Office mediates and recommends resolutions. However, the Architect, against whom complaints are filed, makes the final decisions regarding each complaint.

After a final decision is made by the Ethics Committee, AOC Senate employees may appeal. AOC employees assigned to House buildings are not afforded the opportunity to appeal a hearing decision. AOC employees assigned to the Senate are allowed judicial review of final administrative decisions by the U.S. Court of Appeals for the Federal circuit; House employees do not enjoy this privilege.

This bill will allow all AOC employees to file charges with an independent agency, the General Accounting Office Personnel Appeals Board. The GAO personnel office was selected in order to avoid the cost and time consuming effort it would take to create a structure for a new independent office, and because the GAO already has some oversight over AOC employees.

This bill addresses the needs and concerns of employees in a fair manner in keeping with modern personnel management practices. The House has an urgent responsibility to address the abhorrent practices documented by the GAO. These deficiencies, present in the place where we work, deprive employees who directly serve Members with dedication. This session of Congress must not close without action on a problem of special urgency not merely close to home, but in this House and in the Senate.

MASTER CHIEF GEORGE H. GASSER RETIRES FROM THE U.S. NAVAL RESERVE

HON. GERALD B.H. SOLOMON

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 1994

Mr. SOLOMON. Mr. Speaker, I have the great pleasure of honoring Master Chief Electronic Technician Submarine Warfare George

H. Gasser on the occasion of his retirement from the U.S. Naval Reserve after 33 years of tireless service.

Master Chief Gasser enlisted in the Navy on October 16, 1961. His first submarine assignment was aboard U.S.S. *Skate* as an interior communication technician. He went on to become the honorman of his graduating class both at U.S. Submarine School at New London, CT, and IC "A" School at San Diego, CA.

He has been generously decorated throughout his years in the Naval Reserve. They include: the Navy Commendation Medal and Navy Achievement Medal, the Navy Good Conduct Medal, and the National Defense Medal for which he has received two awards.

During his 33 years of service in our Armed Forces George Gasser has earned our commendation and deep gratitude for his lifelong service to the people of these United States and for his great patriotism.

But he has also earned our gratitude for his many volunteer activities in his community and for his years of services as the elected county treasurer of Saratoga County.

Mr. Speaker, in addition to his outstanding service in the U.S. Navy, George Gasser truly is a fine community leader and a man I am proud to call my friend. Would you all rise and join me in paying tribute to this outstanding American citizen.

TRIBUTE TO THE STANLEY CUP CHAMPION NEW YORK RANGERS

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 1994

Mr. NADLER. Mr. Speaker, I rise today to honor a truly remarkable group of athletes who on June 14 of this year ended a 54-year drought and brought the Stanley Cup back to New York City. I am, of course, speaking of the New York Rangers.

The New York Rangers demonstrated the true spirit of New York City by consistently coming through when the chips were down and their backs were to the wall by winning the Stanley Cup for the best and most loyal fans in the world.

It takes a lot to be a winner, and that starts with the Ranger organization. I would like to congratulate Bob Gutkowski, the president of Madison Square Garden, and Neil Smith, president and general manager of the Rangers, for building this winning team.

You need a good coach who can get the best performance out of his players; the Rangers have a great coach in Mike Keenan. He has excellent coaches in Colin Campbell and Dick Todd, as well as exceptional trainers and equipment managers.

To win the Stanley Cup you need great players. The Rangers are led by their captain and future Hall of Famer, Mark Messier, who scored the winning goal of the Stanley Cup final game. Brian Leetch, who played a key role throughout the season and playoffs, was awarded the Conn-Smythe Trophy as the playoffs' most valuable player. Mike Richter, the Rangers goalie, made many great stops all season and throughout the playoffs to bring the Stanley Cup back to where it belongs.

As we in politics all know, it is not just those who get the credit in the press who make things happen. You need a great core of supporting players, and I would like to congratulate all the members of the playoff roster: Adam Graves, Kevin Lowe, Steve Larmer, Stephane Matteau, Alexei Kovalev, Esa Tikkanen, Sergei Zubov, Glenn Anderson, Sergei Nemchinov, Craig MacTavish, Joe Kocur, Jeff Beukeboom, Jay Wells, Brian Noonan, Doug Lidster, Nick Kypreos, Glenn Healy, Mattias Norstrom, Barry Richter, Eddie Olczyk, Joby Messier, Greg Gilbert, Mike Hartman, Mike Hudson, Alexander Karpovtsev, and Corey Hirsch.

Mr. Speaker, New Yorkers had to wait a long time to bring the Stanley Cup back to our city, but this week their patience and loyalty were amply rewarded. I am proud to represent these loyal sports fans of the finest team in the National Hockey League.

THE RULE ON H.R. 3937, THE EXPORT ADMINISTRATION ACT OF 1994

HON. SAM GIBBONS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday June 15, 1994

Mr. GIBBONS. Mr. Speaker, pursuant to the rules of the Democratic caucus, I wish to serve notice to my colleagues that I have been instructed by the Committee on Ways and Means to seek less than an open rule for the consideration by the House of Representatives of the bill, H.R. 3937, the Export Administration Act of 1994.

ASTRONAUT DAY IN THE BRONX

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 1994

Mr. SERRANO. Mr. Speaker, I rise to tell my colleagues of the wonderful visit astronaut Dr. Franklin Chang-Diaz paid to the South Bronx.

Dr. Chang-Diaz is a veteran of four space shuttle flights, the most recent of which—STS-60—was the first joint Russian-American space launch.

On May 23 Dr. Chang-Diaz visited three schools in my district: Intermediate School 74, Junior High School 120, and All Hallows High School. He gave the students of these schools an inspiring, stimulating presentation which I am hopeful will draw youngsters from my community into the fields of science and mathematics.

Mr. Speaker, I would like to offer my thanks to Dr. Chang-Diaz, to the principals of the schools he visited—Dr. Donald Fulton, Dr. Arnold Nager, and Brother Lawrence T. Murphy—and to all who contributed to the success of Astronaut Day in the Bronx.

EXTENSIONS OF REMARKS

LEGISLATION TO MODIFY THE LAFARGE DAM PROJECT

HON. STEVE GUNDERSON

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 1994

Mr. GUNDERSON. Mr. Speaker, today, I join the citizenry of Wisconsin in bringing to fruition its effort during the past 2 years to resolve an unhappy situation of the past 30 years.

In western Wisconsin, there is the small village of LaFarge. Often inundated by spring floods, the village sought assistance to control this periodic devastation. The Federal Government promised to help buy authorizing \$5.5 million to construct a reservoir and dam in 1962; thus, the LaFarge dam and lake project was born.

In pursuit of this goal, by 1969, 144 families were uprooted from their farms, and the local school system suffered major losses in attendance. Over 8,500 acres were acquired and plans were initiated for the construction of a dam and reservoir for flood control, general recreation, and fish and wildlife purposes. Plans included the reconstruction of State Highway 131 and the construction of an educational/visitors center.

When the environmental impact statement was reviewed, concerns were raised over water quality impacts and the effects on rare species. Numerous archaeological and historic sites were identified. For environmental reasons, work on the dam was suspended in July 1975, leaving 61 percent of the dam uncompleted, while 80 percent of the land had been acquired.

By 1990, it was estimated that annual losses resulting from the removal of family farms and the unrealized tourism benefits anticipated with the completion of the reservoir and education center totaled over 300 jobs and \$8 million for the local economy.

But to continue to look back at the losses only dimmed the potential for a vision for the future.

Recognizing the tragic circumstances in which several generations of families in the area had found themselves, in 1991, Governor Thompson, State Senator Rude, State Representative Johnsrud, and I urged the residents in the Kickapoo Valley to form a citizens advisory committee to initiate a plan for a positive resolution. Governor Thompson appointed Alan Anderson of the University of Wisconsin-Extension as coordinator for the Kickapoo Valley Advisory Committee. The Wisconsin Department of Natural Resources, Department of Transportation, and the State Historical Society provided professional assistance in the spirit of true cooperation. Over a span of 2 years the committee forged a consensus and recommended the establishment of a Kickapoo Valley Reserve. The State of Wisconsin concurred in their recommendation and passed legislation creating the Kickapoo Valley Reserve and Governing Board.

Today, I introduced federal legislation with Representative THOMAS PETRI to modify the LaFarge dam project and to bring this project to a proper conclusion. This legislation will transfer to the State of Wisconsin the lands

associated with the project. The legislation also formally terminates, or deauthorizes the construction of the lake and dam portions of the original authorization. The modifications will authorize the \$17 million necessary to require the corps to complete two central parts of the original project: finishing the relocation of State Highway 131 and county Highway routes "P" and "F", along with the construction of a visitor and education complex, recreational trails, and canon facilities.

If the original project were to be completed today, the Corps of Engineers estimates the cost would be \$102 million. Since the original authorization of the project in 1962, the corps has expended \$18 million. Under the legislation introduced today, the Federal responsibility to conclude the original activities would be for \$17 million, creating a savings of \$66 million to Federal taxpayers.

With the introduction of this legislation we bring renewed hope to the people that Government can right a wrong.

CABLE TELEVISION RATES

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 1994

Mr. STARK. Mr. Speaker, understanding cable television rate structures seems to require an advanced degree in calculus, but we all understand the bottom line. When the cable monopolies were unregulated, East Bay consumers were gouged: from 1986 to 1991 rates rose up to 120 percent. Consumers demanded relief so Congress passed the 1992 Cable Reform Act ordering the Federal Communications Commission [FCC] to regulate the cable operators and reduce rates.

Last year, the FCC set maximum rates for the cable operators that were intended to lower customer bills. However, the rates were still too high and cable operators too tricky so this year the FCC ordered a second rate reduction.

Last week, I announced that TCI had ignored the first set of Federal rules and overbilled East Bay customers by \$1.1 million. This million dollar overcharge was discovered because cities and customers filed rate complaints with the FCC. The 13th Congressional District was one of only a handful in the country where every city filed a complaint to ensure a rollback to legal rates and maximum refunds to customers.

Recently, TCI stated that it is reducing some rates, effective July 15, to comply with the second round of FCC mandated reductions. I always welcome cable rate reductions, but consumers should be wary. These newly announced reductions don't change the fact that TCI has already violated FCC's first rate reduction order, overcharged its customers, and now owes local subscribers a bundle in refunds. Even the newly announced reductions may not be enough to bring the company into compliance with the law and the company may be forced to pay even more refunds in the future.

The cable operators and the Federal bureaucracy are making this too complicated and

we're paying too much! I want to see rates simplified, lowered, and enforced. I also want cable operators to agree to a Cable Customer Bill of Rights and be held accountable, to their customers, for lousy service. I am continuing to work closely with East Bay cities and consumers to achieve these goals.

**CONGRATULATIONS TO EDGAR
AND MARIE HOLLEY ON THEIR
65TH WEDDING ANNIVERSARY**

HON. GLENN POSHARD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 1994

Mr. POSHARD. Mr. Speaker, I rise to pay tribute to Edgar and Marie Holley of Mode, IL, who celebrate their 65th wedding anniversary today. In an era when families find it harder and harder to stay together, the Holleys are certainly deserving of this recognition for their 65 years of companionship.

Edgar, known to his friends as "Bud", worked as an Illinois farmer for over 50 years. Marie Holley devoted her life to raising their son, Gerald, who has grown up to be a fine young man. Edgar and Marie are active members of the Free Methodist Church in Cowden, IL.

Their commitment to those around them and to each other is a shining example of what is good and right about our Nation. I wish Edgar, Marie, their son Gerald and his family greatest happiness on this very special day. May we all live such rich and distinguished lives as Edgar and Marie Holley.

**TRIBUTE TO DR. RAFAEL
CORTADA**

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 1994

Mr. FORD of Michigan. Mr. Speaker, I rise today to pay tribute to Dr. Rafael Cortada, president of Wayne County Community College. Dr. Cortada is a dedicated advocate for public education and a respected friend, who is leaving his current position in order to move on to the next phase in his career.

Dr. Cortada began his career in education in 1957 as a high school teacher in New York and has risen to the position of president at several institutions of higher education, most recently at Wayne County Community College in Detroit, MI. In addition, Dr. Cortada previously served as president and professor of history at the University of the District of Columbia and has used his expertise in Latin American and Iberian history to serve as a desk officer in the Foreign Service.

Throughout the past 4 years, Dr. Cortada has contributed his expertise and leadership as president of Wayne County Community College. This school is a five-campus, multi-cultural institution with more than 12,000 students. Dr. Cortada has handled the challenges of directing a large educational institution with ease and efficiency, while also working with

elected officials to improve the state of public education in Michigan.

In addition to his service as a professor, dean, administrator, and president, Dr. Cortada has always contributed his time and skills as a member of numerous community advisory boards, task forces, and education committees. Whether he was serving as an instructor for the Michigan Cultural Diversity Program, as vice president for the Washington Task Force on African Affairs of African Studies Association, or as a member of the health and welfare council of central Maryland, Dr. Cortada has given tirelessly of his skills and energy.

As he embarks on the next phase of his career, Dr. Cortada and his leadership skills will be missed, as will his dedication to the improvement of public education. I wish him all the best in his future position as dean/director at Ohio State University at Newark and as the president of Central Ohio Technical College.

**TRIBUTE TO THE JOINT PUBLIC
AFFAIRS COMMITTEE FOR
OLDER ADULTS [JPAC]**

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 1994

Mr. NADLER. Mr. Speaker, I rise to pay tribute to the Joint Public Affairs Committee for Older Adults [JPAC] on the occasion of their 16th anniversary celebration and volunteer recognition day. JPAC is a senior citizen advocacy group of representatives from over 120 senior centers throughout metropolitan New York which has established a long and distinguished record of service to the aging community. JPAC and its older adult volunteers have made great strides in bringing attention to and inspiring legislative action on the issues that concern senior citizens.

Many of the volunteers at JPAC are older adult participants whose work has been the impetus for many worthwhile legislative programs. In January of this year, JPAC's efforts contributed to the passage of lifeline banking legislation in New York State, which would require all banks to offer low-cost checking accounts so that low-income customers are able to afford basic banking services. They were also instrumental in the restoration of \$6 million to the fiscal year 1994 NYC budget to fund meals at home and at senior centers.

JPAC has had many other victories in the legislative arena. Their efforts have contributed to the establishment of a New York City Council committee on aging; the enactment of EPIC, a prescription drug cost relief program; increases in the State share of the SSI grant; limiting doctors fees for Medicare beneficiaries and limiting the impact of Federal, State and city budget cuts on the elderly. JPAC has also sponsored annual legislative forums on issues including health care reform, long term care, housing and Social Security.

JPAC's longstanding commitment to the interests and issues of the elderly deserves to be applauded. I wish to acknowledge the hard work and dedication of the staff and volunteers of JPAC whose efforts have truly made

a difference. Mr. Speaker, I ask my colleagues in the House of Representatives to join with me in paying tribute to JPAC and its volunteers and in congratulating them on 16 years of exemplary service to the aging community.

**JIMMY GAUNCE: 38 YEARS OF
LEADERSHIP**

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 1994

Mr. GORDON. Mr. Speaker, whoever it was who said that leaders aren't born—they're made—just might have been thinking of Jimmie Gaunce, because over the course of his 38-year career in Tennessee's labor movement, he's done exactly what leaders do: He put his foot on the bottom rung of the ladder and then pulled others up behind him.

On October 8, 1956, after serving his country for 4 years in the Air Force, Jimmie was initiated into the International Association of Machinists & Aerospace Workers at the Queen City Lodge No. 1501 in Tullahoma, TN.

He quickly moved up through the ranks, first as a job steward in his local lodge, then chief steward, president of District Lodge 169, president and directing business representative of the newly formed district and finally, as executive vice president of the Tennessee AFL-CIO and president of the Tennessee State Council of Machinists.

Today, his commonsense approach to issues and his commitment to what is right for workers, their families, and their communities is respected and admired throughout the State.

But true to his middle Tennessee roots, I suspect the things Jimmie is most proud of don't have a lot to do with the titles he holds or the honors he's received or the conventions he's attended. If those were the things most important to him I doubt he'd be retiring so much earlier than his colleagues can afford to lose him.

In fact, I suspect the things Jimmie is most proud of are his children and their mother Brenda and their six grandchildren and, come October, the birth of his first great-grandchild.

After 38 years of leadership, Jimmie Gaunce is retiring. His leadership will be missed but as he starts a new chapter in his life, he can do so knowing that he always worked for what he thought was best for the hard-working men and women of Tennessee. Please join me in paying tribute to Jimmie Gaunce for his leadership and his diligent efforts to build a brighter future for Tennessee and the Nation.

**SCOUTMASTER ELMER McFADDEN
CELEBRATES 50 YEARS OF SERV-
ICE TO THE BOY SCOUTS OF
AMERICA**

HON. HELEN DELICH BENTLEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 1994

Mrs. BENTLEY. Mr. Speaker, my fellow colleagues, I rise today to recognize Scoutmaster

Elmer McFadden upon his completion of 50 years of dedicated service to Troop 303, Boy Scouts of America.

In today's society, young people are subject to many negative influences. The reason we have youth crime problems in our communities is the lack of positive role models—men who are physically strong, mentally awake, and morally straight—who have the potential to install a sense of responsibility and confidence in our youth and to teach values and character building. For the past 50 years, Elmer McFadden has been exemplary in fulfilling this role.

Elmer McFadden joined the Boy Scouts in 1944 as a youngster. He earned his Eagle Scout Award in August 1949, and was promoted to assistant Scoutmaster in 1951. He has served nobly as Scoutmaster of Troop 303 since 1957. It is the responsibility of us all to shape the character of America's youth, and Elmer has undertaken this great responsibility in ensuring the future of our Nation. Elmer has taught young males to be trustworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean, and reverent—the laws the Scouts are taught to follow. He has shown a great concern for the welfare of our Nation and I commend his efforts.

Mr. Speaker, my fellow colleagues, I am proud to congratulate Scoutmaster Elmer McFadden upon his completion of 50 years of exceptional service to the Boy Scouts of America and Troop 303.

EXCERPT OF DEMJANJUK ARTICLE

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 1994

Mr. TRAFICANT. Mr. Speaker, yesterday I submitted part of an article dealing with the case of John Demjanjuk, a retired Cleveland auto worker who was extradited and tried in Israel as Ivan the Terrible. The Israeli Supreme Court acquitted Demjanjuk and returned him to the United States. Below is the second part of this very important article written by Prof. Alfred de Zayas, a visiting professor of international law at the DePaul University College of Law in Chicago. He is also an expert on human rights who has published three books on the subject:

I. UNITED NATIONS COVENANT ON CIVIL AND POLITICAL RIGHTS

RIGHT TO A FAIR HEARING

Article 14, paragraph 1, of the Covenant requires fundamental fairness by the courts, impartiality and equality of arms. Fairness also entails the requirement that a proceeding be held within a reasonable time. Subjecting Mr. Demjanjuk to a criminal proceeding more than 40 years after the offences in question raises issues under this provision, since it is extremely difficult for him—or for anyone in his position—to properly represent himself, in view of his old age and the near impossibility to obtain exculpatory documents, witnesses, or even to remember the events under investigation.

Civil proceedings on his citizenship and on deportation also present considerable problems because of the lapse of time. Immigra-

tion records are notoriously incomplete and ambiguous. Apparently there is no written record of Mr. Demjanjuk's having been specifically asked the questions "Were you a Nazi camp guard?" or "Did you engage in racial or religious persecution?" and of his having given a negative answer. Even if such record existed, it would still have to be proven that he had lied. Now, bearing in mind that he immigrated to the U.S. in 1952, in the middle of the cold war and the McCarthy era, it is more probable that the immigration officers only asked him whether he had ever been a Communist or a member of the KGB. In any event, clear proof that he lied to the immigration authorities would have to be produced, and such proof would require a showing of intent, i.e., that he understood a specific question and that he deliberately gave false information. He cannot be penalized for not understanding an ambiguous question or for not volunteering information that was not asked. If the immigration authorities did not pose the crucial question at the time of immigration or at the time of naturalization, the government is estopped from doing so now. In this connection, the court must also consider that at the time of Mr. Demjanjuk's immigration, he probably did not understand the English language and that errors may have occurred in translation. As the case may be, the burden of proof is on the government.

Article 14, paragraph 2, requires strict adherence to the principle of the presumption of innocence, not only in all criminal matters, but also in civil matters with penal elements or consequences, such as denaturalization proceedings that may result in exile or forfeiture of an old age pension.

Article 14, paragraph 3, requires that an accused person be tried without undue delay. Criminal proceedings in the Demjanjuk case commenced 41 years after the alleged events; appeal proceedings were concluded seven years later with his acquittal. The objective problems in ensuring an effective defense decades after the events are manifest. In this context some may be tempted to invoke the 1968 Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity. Yet, this Convention cannot derogate from article 14, paragraph 3, of the Human Rights Covenant. Moreover, neither the United States nor Israel are parties to this Convention.

RIGHT TO LIBERTY AND SECURITY OF THE PERSON

With regard to Mr. Demjanjuk's detention, it is clear that to the extent that he was a suspected war criminal and a warrant had been issued for his arrest, his detention was lawful. On the other hand, it is questionable whether the length of detention was appropriate in the circumstances of his case. Article 9, paragraph 3, of the Covenant provides that "it shall not be the general rule that persons awaiting trial shall be detained in custody, but release may be subject to guarantees to appear for trial . . . and should occasion arise, for execution of the judgment." Accordingly, the question must be examined whether Mr. Demjanjuk could have been allowed to remain with his family, on bail, while awaiting the criminal proceedings against him, unless there was a showing that there was an imminent danger of his fleeing the jurisdiction or of his tampering with evidence against him (See Views of the United Nations Human Rights Committee in case No. 238/1987, Bolaños v. Ecuador and in case No. 305/1988, van Alphen v. The Netherlands). Moreover, Mr. Demjanjuk was entitled to immediate release upon his acquittal. Pursu-

ant to the established jurisprudence of the Human Rights Committee, the expert body established to monitor compliance with the Covenant, Mr. Demjanjuk's continued detention in Israel for eight weeks following acquittal would appear to be in breach of article 9, paragraph 1, because the prolonged detention could be seen as arbitrary and thus amount to a violation of the right to liberty and security of the person (Human Rights Committee, Views in case No. 37/1979 Soriano de Bouton v. Uruguay, and in case No. 33/1978 Buffo Carballal v. Uruguay). Since the United States extradited Mr. Demjanjuk to another jurisdiction, it bears responsibility for any violations of his human rights in that jurisdiction.

PROHIBITION OF ARBITRARY DEPORTATION

With regard to the issue of expulsion or deportation, judges must take into consideration that under international law a state cannot expel its own nationals. Similarly, the United Nations Human Rights Committee has made clear in the examination of states reports under the Covenant (*inter alia* those of Burundi, Venezuela and Zaire) that states may not expel their own nationals.

As to aliens, article 13 of the Covenant imposes certain conditions that must be satisfied before any deportation. It would be incompatible with the object and purpose of the Covenant for a state to attempt circumventing this prohibition by simply denaturalizing a person in order to facilitate his expulsion as an alien.

RIGHT TO RETURN TO ONE'S COUNTRY

Article 12, paragraph 4, provides that "no one shall be arbitrarily deprived of the right to enter his own country." If deported, Mr. Demjanjuk would be barred from reentering the United States. Considering that Mr. Demjanjuk has lived most of his life in the United States, that he was a citizen for decades, that his entire family lives in the United States and that he has no links to other countries, there can be no doubt that the U.S.A. is "his own country." Unlike the 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms and the 1969 American Convention on Human Rights (Pact of San Jose), both of which grant the right of reentry only to citizens, the Covenant uses the broader term "his own country." An examination of pronouncements by the Human Rights Committee, both in the consideration of states reports and of cases submitted under the Optional Protocol, reveals that "his own country" should be interpreted broadly, so as to apply not only to citizens but also to permanent residents.

RIGHT TO PRIVACY AND FAMILY LIFE

Article 17, paragraph 1, guarantees the right to privacy, home and family life. The concept of family in international human rights law includes not only the "nuclear family" but also grown-up children and grandchildren. The deportation of Mr. Demjanjuk would violate his right to family life, because he would be separated from his entire family. In this context the jurisprudence of the European Court of Human Rights indicates that deportation of a person in Mr. Demjanjuk's situation would entail a violation of article 8 of the European Convention (see *infra*).

Article 17, paragraph 2, stipulates that everyone has the right to the protection of the law against unlawful attacks on one's honour and reputation. Mr. Demjanjuk has endured years of slander and libel as the purported Ivan the Terrible. Now he is treated as if it had already been proven that he was

a Nazi guard, in violation of the presumption of innocence.

RIGHT TO EQUALITY OF TREATMENT

Article 26 requires equality before the law. Currently one particular category of immigrants is being singled out for denationalization and deportation: persons who served the Nazi regime, whether voluntarily or through conscription. By contrast, Japanese immigrants, some of whom fought against the United States in World War II and who may have committed war crimes or engaged in persecution against Koreans and Chinese, are not being investigated or prosecuted. Neither are other immigrants to the United States who may have participated in persecution against racial or religious minorities, including Russian KGB officers who may have been involved in murders such as those at Katyn Forest in 1940. Furthermore, the denial of social security old age benefits only to the category of immigrants who wore German uniforms discriminates against them. The arbitrary nature of some denationalization and deportation proceedings is also manifested by the fact that the target group is being subjected to this treatment not because of proven conduct but only because of their status.

PROHIBITION OF INHUMAN OR DEGRADING TREATMENT

Article 7 stipulates that "no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment." The nature of the proceedings against Mr. Demjanjuk, the hostile atmosphere that accompanied the extradition, the surrender for trial in Israel (which engages the responsibility of the United States), the initial trial in Israel, the demonstrations of jubilation following his being sentenced to death in April 1988, the ensuing years of uncertainty—commonly known as "death row phenomenon" following the landmark judgment of the European Court of Human Rights in the Soering v. United Kingdom case—the continued detention for eight weeks following acquittal by the Israeli Supreme Court: all these elements, taken cumulatively, may be deemed to amount to cruel and degrading treatment.

RIGHT TO COMPENSATION

If indeed Mr. Demjanjuk is not Ivan the Terrible, the question arises whether he is entitled to compensate for miscarriage of justice. It is surprising that hitherto both the press and legal literature seem to ignore the fact that Mr. Demjanjuk may have a justifiable claim for compensation; and yet, this is an established right in international law. Article 9, paragraph 5, of the International Covenant on Civil and Political Rights provides that "Anyone who has been the victim of unlawful arrest or detention shall have an enforceable right to compensation." Article 14, paragraph 6, stipulates that "When a person has by a final decision been convicted of a criminal offence and when subsequently his conviction has been reversed or he has been pardoned on the ground that a new or newly discovered fact shows conclusively that there has been a mis-

carriage of justice, the person who has suffered punishment as a result of such conviction shall be compensated according to law, unless it is proved that the non-disclosure of the unknown fact in time is wholly or partly attributable to him." The "understanding" appended by the United States Senate on 2 April 1992 when given advice and consent to the president on the ratification of the Covenant provides: "That the United States understands the right to compensation referred to in Articles 9(5) and 14(6) to require the provision of effective and enforceable mechanisms by which a victim of an unlawful arrest or detention or a miscarriage of justice may seek and, where justified, obtain compensation from either the responsible individual or the appropriate governmental entity. Entitlement to compensation may be subject to the reasonable requirements of domestic law." Thus, it cannot be excluded that Mr. Demjanjuk, who was detained for many years as the presumed Ivan the Terrible, and who has been found not to be this person, may have a legitimate claim for compensation. But it is doubtful whether Mr. Demjanjuk or his family want any compensation. What they would probably prefer is an end to the 17 years of litigation.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, June 16, 1994, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 17

9:30 a.m.

Energy and Natural Resources

To hold hearings on implementation of the Department of Energy's alternative fuel vehicle and fleet programs.

SD-366

10:00 a.m.

Agriculture, Nutrition, and Forestry

Nutrition and Investigations Subcommittee

To resume hearings on S. 1614, authorizing funds through fiscal year 1998 for

programs of the Child Nutrition Act and the National School Lunch Act.

SD-562

Finance

Deficits, Debt Management and Long Term Economic Growth Subcommittee

To hold hearings to examine the United States' saving crisis and implications for security and long-term growth.

SD-215

Foreign Relations

To hold hearings on the nominations of Mary Ann Casey, of Colorado, to be Ambassador to the Republic of Tunisia, Raymond Edwin Mabus, Jr., of Mississippi, to be Ambassador to the Kingdom of Saudi Arabia, Ronald E. Neumann, of Virginia, to be Ambassador to the Democratic and Popular Republic of Algeria, and David M. Ransom, of the District of Columbia, to be Ambassador to the State of Bahrain.

SD-419

JUNE 20

8:30 a.m.

Agriculture, Nutrition, and Forestry

To hold hearings on pending nominations.

SR-332

JUNE 21

9:30 a.m.

Energy and Natural Resources

Public Lands, National Parks and Forests Subcommittee

To hold oversight hearings on the proposed location of the Disney's America project and its potential impact on the Manassas National Battlefield Park and other significant historic sites in northern Virginia.

SD-366

10:00 a.m.

Judiciary

Courts and Administrative Practice Subcommittee

To hold hearings on S. 825, to amend title 28 of the United States Code to permit a foreign state to be subject to the jurisdiction of Federal or State courts in any case involving an act of international terrorism.

SD-226

2:00 p.m.

Judiciary

To hold hearings on pending nominations.

SD-226

JUNE 22

9:30 a.m.

Commerce, Science, and Transportation Communications Subcommittee

To hold hearings on proposed legislation relating to public rights of way.

SR-253

JUNE 23

9:00 a.m.

Office of Technology Assessment Board meeting, to consider pending business. EF-100, Capitol

9:30 a.m.

Energy and Natural Resources

To hold oversight hearings to examine the scientific and technological basis for radon policy.

SD-366

Rules and Administration

To hold hearings on the nominations of Lee Ann Elliott, of Virginia, and Danny Lee McDonald, of Oklahoma, each to be a Member of the Federal Election Commission.

SR-301

10:30 a.m.

Rules and Administration

To hold oversight hearings on the operations of the Office of the Architect of the Capitol.

SR-301

2:00 p.m.

Energy and Natural Resources

Water and Power Subcommittee

To hold oversight hearings on the implementation of the Central Valley Project Improvement Act and the coordination of these actions with other Federal protection and restoration efforts in the San Francisco Bay/Sacramento-San Joaquin Delta.

SD-366

JUNE 28

9:30 a.m.

Energy and Natural Resources

Energy Research and Development Subcommittee

To hold hearings on S. 2104, to establish within the National Laboratories of the Department of Energy a national Albert Einstein Distinguished Educator Fellowship Program.

SD-366

JUNE 29

2:30 p.m.

Commerce, Science, and Transportation Communications Subcommittee

To hold hearings on S. 2120, to authorize appropriations for the Corporation for Public Broadcasting for fiscal years 1997 through 1999.

SR-253